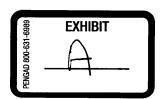
COURT OF CRIMINAL APP	EALS NO. CR	00-2143
APPEAL TO ALABAMA	COURT OF	CRIMINAL APPEALS
	FROM	
CIRCUIT COURT OF	RUSSELL	COUNTY, ALABAMA
CIRCUIT COURT NO	D. C <u>C 01-30, 3</u>	36
CIRCUIT JUDGE _	HON. GEORGE	E R. GREENE
Type of Conviction / Order Appealed From:	UNLAW DISTR	RIB MARIJ X 2, POSS MARIJ
Sentence Imposed: 30 YRS PEN, COM	ICURENT, \$100	VCF, \$1,000 DEMAND, ATTY FEE
Defendant Indigent: XXYES NO		
ROY	DAVID HEATH	
CHARLES E. FLOYD. III 205-297-		NAME OF APPELLANT
(Appellant's Attorney) PO BOX 759 (Address)	(Telephone No.)	
PHENIX CITY, AL. 36868-0759		
(City) (State)	(Zip Code)	
STATE OF ALABAMA	v.	
(State represented by Attorney General) NOTE: If municipal appeal, indicate above, and enter		NAME OF APPELLEE

(For Court of Criminal Appeals Use Only)

name and address of municipal attorney below.



INDEX TO TRANSCRIPT

	PAGE
Case Action Summary CC 01-30	1
Arrest Report	5
Consolidated Bond	6
Indictment	8
Plea of Not Guilty and Waiver of Arraignment	10
Arraignment Order	11
Notice of Prior Convictions for Sentence Hearing	12
Notice of Intent to Admit Certificate of Analysis	13
State's Motion for Discovery	14
State's Motion for Consolidation of Offenses	16
Order granting Motio for Discovery	17
Order setting hearing on Motion to Consolidate	18
Explanation of Rights and Plea of Guilty	19
Statement of Attorney's Representation	21
Plea Agreement	22
Plea of Guilty	25
Sentencing Order	26
Conviction Report	28
Notice of Appeal	29
Notice of Appeal to the Alabama Court of Criminal Appeals by the Trial Court Clerk	30
Clerks notice to defendant regarding pro se statis.	31
Order denying request for appeal hearing.	32
Reporter's Extension Request and order granting same	33
Affidavit of Substantial Hardship and Order	34

	PAGE
Defendant's Motion to Court of Criminal Appeals for Appointment of Counsel and expansion of time.	36
Docketing Statement	39
Reporter's Transcript Order	41
Reporter's Request for Extension of Time	42
Order granting extension request.	43
Order from Court of Criminal Appeals	44
Motion for Appointment of Counsel	45
Affidavit of Substantial Hardship and Order granting same, Hon. Charles floyd III appointed	47
Amended Notice of Appeal to the Court of Criminal Appeals.	49
Reporter's Request for Extension of Time	50
Order granting extension request.	51
Case Action Summary CC 01-36	52
Arrest Report	56
Consolidated Bond	57
Arrest Report	59
Consolidated Bond	60
Indictment	62
Plea of Not Guilty and Waiver of Arraignment	64
Arraignment Order	65
Notice of Prior Convictions for Sentence Hearing	.66
Notice of Intent to Admit Certificate of Analysis	67
Motion for Consolidation of Offenses	68
State's Motion for Discovery	69
Order granting Motion for Discovery	71
Order setting hearing on Motion to Consolidate	72

>

territoria.	
C	PAGE
Explanation of Rights and Plea of Guilty	73
Plea Agreement	75
Statement of Attorney's Representation	78
Plea of Guilty	79
Plea of Guilty	80
Sentencing Order Count 1	81
Sentencing Order Count 2	83
Conviction Report Count 1	85
Conviction Report Count 2	86
Notice of Appeal	87
Notice of Appeal to the Alabama Court of Criminal Appeals by the Trial Court Clerk	88
Clerks notice to defendant regarding pro se statis.	89
Order denying appeal hearing.	90
Affidavit of Substantial Hardship and order	91
Defendant's Motion to Court of Criminal Appeals for Appointment of Counsel and expension of time.	93
Docketing Statement	96
Reporter's Transcript Order	98
Defendant's Motion for Appointment of Counsel	99
Affidavit of Substantial Hardship and order granting same, Hon. Charles E. Floyd III appointed.	101
Amended Notice of Appeal to the Court of Criminal Appeals	103
Reporter's Request for Extension of Time	104
Order granting extension of time.	105
Certificate of Completion and Transmittal of Record on Appeal by the Trial Court Clerk	106
Reporter's Transcript Order	1
Index	2

Guilty Plea 3
Sentencing 23
Reporter's Certificate 30

JOS

JOS

JOS

JOS

102 102

JOS

JOS

JOS

ALABAMA JUDICIAL INFORMATION SYSTEM
CASE ACTION SUMMARY
CIRCUIT CRIMINAL ACR0370 CASE: CC 2001 000030.00 OPER: SHG 'AGE: RUN DATE: 11/30/2001 IN THE CIRCUIT COURT OF RUSSELL JUDGE: GRG OF ALABAMA VS STATE HEATH ROY DAVID 217344 9947 HWY 21 NO. CASE: CC 2001 000030.00 ATMORE, 36503 0000 AL DOB: 12/23/1960 SEX: M RACE: W HT: 5 06 WT: 195 HR: BRO EYES: BRO SSN: 259271658 ALIAS NAMES: CHARGEO1: UNLAW DISTRIB CONTRO CODE01: UDCS CHARGE04: DRIVING WHILE REVOKE CODE04: T007 CHARGE05: RECKLESS ENDANGERMEN CODE05: RECK TYP: F #: 001 TYP: T #: 001 LIT: UNLAW DISTRIB TYP: M #: 001 OFFENSE DATE: AGENCY/DFFICER: 0570000 SL00035 DATE ARRESTED: 05/05/2000 DATE FILED: 01/19/2001 DATE HEARING: DATE WAR/CAP ISS: INDICTED: 01/12/2001 DATE RELEASED: 05/20/2000 DATE DATE BOND AMOUNT: \$25,000.00 \$ SURETIES: AAA BONDING CO. TIME: 0930 A 1: 05/31/2001 DESC: SENT DATE 2: 04/16/2001 DESC: JTRL TIME: 0900 A TRACKING NOS: DC 2000 001061 00 DEF/ATY: BRITTON JOHN M TYPE: R TYPE: P 0 DRAWER 1188 PHENIX CITY AL 36867 00000 PROSECUTOR: EDWARDS JOSEPH W OTH CSE: DC200000106100 CHK/TICKET NO: GRAND JURY: 172 COURT REPORTER: SID NO: STATUS: JAIL 000000000 DEMAND: OPER: JOS ACTIONS, JUDGEMENTS, AND NOTES TRANS DATE OPE ======= 01/19/2001 I SET FOR: ARRAIGNMENT ON 02/20/2001 AT 0900A(AR01) JOS DISTRICT ATTORNEY'S FEES (\$111.04) 01/30/2001 JOS 02/01/2001 NOTICE SENT: 02/01/2001 HEATH ROY DAVID JOS 02/01/2001 NOTICE SENT: 02/01/2001 AAA BONDING CO. JOS (AR10) 02/16/2001 ATTORNEY FOR DEFENDANT; BRITTON JOHN M JOS 02/16/2001 WRITTEN PLEA OF NOT GUILTY AND WAIVER OF JOS ARRAIGNMENT 02/16/2001 JOS

02/20/2001

02/20/2001

02/20/2001

02/20/2001

02/20/2001

02/20/2001

03/02/2001

1005/50/20

03/02/2001 1

ARRAIGNMENT ORDER

PLEA OF NOT GUILTY.

MOTION FOR DISCOVERY BY STATE

TRIAL DOCKET.

THE HON. JOHN BRITTON RETAINED, DEFENDANT

SET FOR: JURY TRIAL ON 04/16/2001 AT 0900A

WAIVES READING OF INDICTMENT AND ENTERS A

NOTICE OF PRIOR CONVICTIONS FOR SENTENCE HEARING

NOTICE OF INTENT TO ADMIT CERTIFICATE OF ANALYSIS

CASE SET ON APRIL 16, 2001

(AR10)

ACRD370 ALABAMA JUDICIAL INFORMATION SYSTEM CASE: CC 2001 000030.00 OPER: SHG CASE ACTION SUMMARY AGE: 2 CIRCUIT CRIMINAL RUN DATE: 11/30/2001

IN THE CIRCUIT COURT OF RUSSELL

JUDGE: GRG

HEATH ROY DAVID 217344 STATE OF ALABAMA ٧S

DOB: 12/23/1960	CASE: CC 2001	000030.00 9947 HWY 21 ND. ATMBRE, AL 36503 0000	
03/02/2001 MOTION FOR CONSOLIDATION OF OFFENSES			EYES: BRO
03/06/2001	TRANS DATE	ACTIONS, JUDGEMENTS, AND NOTES	 OPE
03/12/2001 WITNESS SUSPOENAS ISSUED JOS 03/20/2001 GRDER SETTING HEARING ON MOTION TO CENSOLIDATE FOR JOS 03/20/2001 APRIL 11, 2001, AT 4:00 P.M. JOS 04/09/2001 EXPLANATION OF RIGHTS AND PLEA OF GUILTY JOS 04/09/2001 STREAM GROWN OF THE STREAM JOS 04/09/2001 GRDER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS 04/09/2001 GRDER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS 04/09/2001 THE INDICIMENT. DEFENDANT MAKES APPLICATION JOS 04/09/2001 THE INDICIMENT. DEFENDANT MAKES APPLICATION JOS 04/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS 04/09/2001 GRUER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS 04/09/2001 GRUER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS 04/09/2001 GRUER CONV REPORTED TO DES ON 05272001 FOR UDGS ADC 05/31/2001 DRUG CONV REPORTED TO DES ON 05272001 FOR UDGS ADC 05/31/2001 GROWN REPORTED TO DES ON 05272001 FOR UDGS ADC 05/31/2001 GROWN REPORTED TO DES ON 05272001 FOR UDGS ADC 05/31/2001 GROWN REPORTED TO DES ON 05272001 FOR UDGS ADC 05/31/2001 TO 30 YEARS TO THE DEFT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 I3A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 I3A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001	03/02/2001	MOTION FOR CONSOLIDATION OF OFFENSES	 JOS 1
O3/20/2001 ORDER SETTING HEARING ON MOTION TO CONSOLIDATE FOR JOS O3/20/2001 APRIL 11, 2001, AT 4:00 P.M. JOS O4/09/2001 EXPLANATION OF RIGHTS AND PLEA OF GUILTY JOS O4/09/2001 ***GUILTY PLEA*** JOS O4/09/2001 ***GUILTY PLEA*** JOS O4/09/2001 ORDER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS O4/09/2001 THE INDICTMENT. DEFENDANT MAKES APPLICATION JOS O4/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS O4/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS O4/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS O4/09/2001 PROBATION, RULING SET FOR MAY 31, 2001, AT JOS O5/31/2001 DRUG CONV REPORTED TO DPS ON O5272001 FOR UDCS AOC O5/31/2001 ORDER SENTENCING DEPENDANT AS A HABITUAL OFFENDER JOS O5/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL OFFENDER JOS O5/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS O5/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS O5/31/2001 IJA-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS O5/31/2001 JOS O5/31/2001 UCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS O5/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS O5/31/2001 ACCOUNT, \$1	03/06/2001	ORDER ON MOTION FOR DISCOVERY BY STATE	Jos I
03/20/2001	03/12/2001	WITNESS SUBPOENAS ISSUED	Josi
04/09/2001 EXPLANATION OF RIGHTS AND PLEA OF GUILTY JOS	03/20/2001	ORDER SETTING HEARING ON MOTION TO CONSOLIDATE FOR	Jos I
04/09/2001 ****GUILTY PLEA*** JOS 04/09/2001 ORDER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS 04/09/2001 THE INDICTMENT. DEFENDANT MAKES APPLICATION JOS 04/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS 04/09/2001 9:30 A.M. JOS 05/27/2001 DRUG CGNV REPORTED TO DPS ON 05272001 FOR UDCS AGC 05/31/2001 ***SENTENCING ORDER*** JOS 05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL DEFENDER JOS 05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ISA-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ISA-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ISA-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ISA-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ISA-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 ACCOUNT, \$100.00 DEMENDED CHAIL SERVED. \$100.00 05/31/2001<	03/20/2001	APRIL 11, 2001, AT 4:00 P.M.	Jos
04/09/2001 ORDER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN JOS 04/09/2001 THE INDICTMENT. DEFENDANT MAKES APPLICATION JOS 04/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS 04/09/2001 9:30 A.M. JOS 05/27/2001 DRUG CONV REPORTED TO DPS DN 05272001 FOR UDCS AOC 05/31/2001 ***SENTENCING ORDER*** JOS 05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL OFFENDER JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS <tr< td=""><td>04/09/2001</td><td>EXPLANATION OF RIGHTS AND PLEA OF GUILTY</td><td>Jos</td></tr<>	04/09/2001	EXPLANATION OF RIGHTS AND PLEA OF GUILTY	Jos
04/09/2001 THE INDICTMENT. DEFENDANT MAKES APPLICATION JOS 04/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS 04/09/2001 9:30 A.M. JOS 05/27/2001 DRUG CONV REPORTED TO DPS ON 05272001 FOR UDCS AOC 05/31/2001 ***SENTENCING DRDER*** JOS 05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL DEFENDER JOS 05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS	04/09/2001	***GUILTY FLEA***	Jos
04/09/2001 FOR PROBATION, RULING SET FOR MAY 31, 2001, AT JOS 04/09/2001 9:30 A.M. JOS 05/27/2001 DRUG CONV REPORTED TO DPS ON 05272001 FOR UDCS ADC 05/31/2001 ***SENTENCING DRDER*** JOS 05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL DEFENDER JOS 05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 AMONTHS AND COMPLETION OF SURSTANCE ABUSE PRO- JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS	04/09/2001	ORDER OF PLEA OF GUILTY IN COUNT I, AS CHARGED IN	Jos
04/09/2001 9:30 A.M. J0S 05/27/2001 DRUG CONV REPORTED TO DPS ON 05272001 FOR UDCS ADC 05/31/2001 ***SENTENCING DRDER*** J0S 05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL DEFENDER J0S 05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, J0S 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO J0S 05/31/2001 ACCOUNT, \$1,000.00 DEMAND REDUCTION ASSESSMENT J0S 05/31/2001 ACCOUNT, \$100.00 DEMAND REDUCTION ASSESSMENT J0S 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT J0S 05/31/2001 WENT TO ENROLL IN A REHABILITATION PROGRAM AND J0S	04/09/2001	THE INDICTMENT. DEFENDANT MAKES APPLICATION	Jos
05/27/2001 DRUG CONV REPORTED TO DPS ON 05272001 FOR UDCS ADC 05/31/2001 ***SENTENCING ORDER*** JOS 05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL OFFENDER JOS 05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 AMDNTHS AND COMPLETION OF SUESTANCE ABUSE PRO- JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS <	04/09/2001	FOR PROBATION, RULING SET FOR MAY 31, 2001, AT	Jos
05/31/2001	04/09/2001	9:30 A.M.	Jos
05/31/2001 ORDER SENTENCING DEFENDANT AS A HABITUAL DFFENDER JOS 05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 6 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO- JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS 05/31/2001 BE A CONDITION OF FAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) J	05/27/2001	DRUG CONV REPORTED TO DPS ON 05272001 FOR UDCS	ADC
05/31/2001 TO 30 YEARS TO THE DEPT. OF CORRECTIONS, JOS 05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 6 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO- JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS 05/31/2001 BE A CONDITION OF FAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) JOS 06/05/2001 CASE ACTIGN SUMMARY PRINTED (ARO8) <td< td=""><td>05/31/2001</td><td>***SENTENCING ORDER***</td><td>Jos</td></td<>	05/31/2001	***SENTENCING ORDER***	Jos
05/31/2001 INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO JOS 05/31/2001 13A-12-250, CREDIT FOR TIME SERVED, \$100.00 JOS 05/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT JOS 05/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS 05/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS 05/31/2001 6 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO- JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS 05/31/2001 BE A CONDITION OF FAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) JOS 06/05/2001 CASE ACTION SUMMARY FRINTED (ARO8) JOS	05/31/2001	ORDER SENTENCING DEFENDANT AS A HABITUAL OFFENDER	Jos
05/31/2001	05/31/2001	TO 30 YEARS TO THE DEPT. OF CORRECTIONS,	Jos
05/31/2001	05/31/2001	INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO	JOS
O5/31/2001 VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT	05/31/2001	13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO	Jos
O5/31/2001 ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND JOS O5/31/2001 ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR JOS O5/31/2001 6 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO- JOS O5/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS O5/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS O5/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS O5/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS O5/31/2001 BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR JOS O5/31/2001 WORK RELEASE. JOS O5/05/2001 TRANSCRIPT OF RECORD ISSUED: O5/05/2001 (ARO8) JOS O6/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) JOS	05/31/2001	13A-12-250, CREDIT FOR TIME SERVED, \$100.00	Jos
05/31/2001ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FORJOS05/31/20016 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO-JOS05/31/2001GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNTJOS05/31/2001WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE-JOS05/31/2001MENT TO ENROLL IN A REHABILITATION PROGRAM ANDJOS05/31/2001PAYMENT OF SAME. THE PAYMENT OF MONIES SHALLJOS05/31/2001BE A CONDITION OF PAROLE, EARLY RELEASE, SIR ORJOS05/31/2001WORK RELEASE.JOS06/05/2001TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (AROS)JOS06/05/2001CASE ACTION SUMMARY PRINTED(AROS)JOS	05/31/2001	VCF, \$1,000.00 DEMAND REDUCTION ASSESSMENT	Jos
05/31/2001 6 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO- JOS 05/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT JOS 05/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- JOS 05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS 05/31/2001 BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 05/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (AR08) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (AR08) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (AR08) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED	05/31/2001	ACCOUNT, \$100.00 FORENSIC SERVICES TRUST FUND	Jos
O5/31/2001 GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT O5/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE- O5/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND O5/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL O5/31/2001 BE A CONDITION OF FAROLE, EARLY RELEASE, SIR OR O5/31/2001 WORK RELEASE. O5/31/2001 TRANSCRIPT OF RECORD ISSUED: O6/05/2001 (ARO8) O6/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) O6/05/2001 CASE ACTION SUMMARY PRINTED	05/31/2001	ATTORNEY'S FEES, DRIVER'S LICENSE SUSPENDED FOR	Jos
O5/31/2001 WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE-	05/31/2001	6 MONTHS AND COMPLETION OF SUBSTANCE ABUSE PRO-	Jos
05/31/2001 MENT TO ENROLL IN A REHABILITATION PROGRAM AND JOS 05/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS 05/31/2001 BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) JOS	05/31/2001	GRAM. THE DEMAND REDUCTION ASSESSMENT ACCOUNT	Jos
05/31/2001 PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL JOS 05/31/2001 BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) JOS	05/31/2001	WILL BE SUSPENDED UPON THE DEFENDANT'S AGREE-	Jos
05/31/2001 BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR JOS 05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) JOS	05/31/2001	MENT TO ENROLL IN A REHABILITATION PROGRAM AND	Jos
05/31/2001 WORK RELEASE. JOS 06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (AR08) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (AR08) JOS	05/31/2001	PAYMENT OF SAME. THE PAYMENT OF MONIES SHALL	JOS
06/05/2001 TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (ARO8) JOS 06/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) JOS	05/31/2001	BE A CONDITION OF PAROLE, EARLY RELEASE, SIR OR	Jos
06/05/2001 CASE ACTION SUMMARY PRINTED (ARO8) JOS	05/31/2001	WORK RELEASE.	JOS
	06/05/2001	TRANSCRIPT OF RECORD ISSUED: 06/05/2001 (AR08)	Jos
06/07/2001 TRANSCRIPT OF RECORD ISSUED: 06/07/2001 (ARO8) JOS	06/05/2001	CASE ACTION SUMMARY PRINTED (AROS)	JOS
	06/07/2001	TRANSCRIPT OF RECORD ISSUED: 06/07/2001 (AR08)	Jos

~3990**3**

ALABAMA JUDICIAL INFORMATION SYSTEM
CASE ACTION SUMMARY
CIRCUIT CRIMINAL CASE: CC 2001 000030.00 ACR0370

OPER: SHG AGE: 3 CIRCUIT CRIMINAL RUN DATE: 11/30/2001 RUN DATE: 11/30/2001

IN THE CIRCUIT COURT OF RUSSELL

JUDGE: GRG

STATE OF ALABAMA

HEATH ROY DAVID 217344 VS

CASE: CC 2001	217344 000030.00 9947 HWY 21 ND. ATMORE, AL 36503 0000	
DOB: 12/23/198 SSN: 259271658		EYES: BRO
07/11/2001	MOTION FOR APPEAL HEARING	SHG !
07/11/2001	CASE APPEALED DN: 07/11/2001 (AR10)	Jos
07/11/2001	APPEAL "TO" TYPE: "O" (AR10)	Jos
07/11/2001	NOTICE OF APPEAL	Jos
07/11/2001	NOTICE OF APPEAL TO THE COURT OF CRIMINAL APPEALS	Jos
07/11/2001	BY TRIAL CLERK	Jos
08/06/2001	ADDR1 CHANGED FROM: 3 TRAPPER DRIVE (ARO1)	SHG
08/09/2001	ORDER DENYING MOTION TO APPEAL HEARING	зна
09/05/2001	REPORTERS EXTENSION TO 10-3-01	SHG
09/10/2001	AFFIDAVIT OF HARDSHIP FOR ATTORNEY	SHG
09/10/2001	FILE TO GRG	SHG
09/12/2001	ORDER DENYING AFFIDAVIT OF HARDSHIP	SHG
10/01/2001	DOCKETING STATEMENT - SIGNED BY TERESA HEATH, WIFE	SHG
10/01/2001	REPORTER'S TRANSCRIPT ORDER - SIGNED BY DEF	SHG
10/01/2001	COPY OF MOTION FOR APPOINTMENT OF COURT APPOINTED	SHG
10/01/2001	ATTORNEY AND MOTION FOR ENLARGEMENT OF TIME.	SHG
10/01/2001	FILED WITH TYPED SIGNATURE. DEF'S WIFE TO FILE	SHG
10/01/2001	ORIGINAL WITH COURT OF CRIMINAL APPEALS.	SHG
10/12/2001	ORDER FROM COURT OF CRIMINAL APPEALS GIVING TRIAL	SHG
10/12/2001	COURT 14 DAYS TO PROVIDE EVIDENCE THAT DEF	SHG
10/12/2001	WAIVED HIS RIGHT TO APPEAL.	SHG
10/16/2001	CLERKS NOTE: FAXED PLEA AGREEMENTS TO COURT OF	SHG
10/16/2001	CRIMINAL APPEALS, WANDA IVEY SAYS SHE CANNOT	SHG
10/16/2001	FIND WHERE IT SAYS HE WAIVED HIS RIGHT TO AN	SHG
10/16/2001	APPEAL.	SHG
10/17/2001	FILE TO GRG TO PROMPT COLLEGUY	SHG
10/19/2001	ORDER REMANDING CASE TO TRIAL COURT TO APPOINT	SHG
10/19/2001	COUNSEL OR ENTER WRITTEN FINDINGS AS TO WHY NOT.	SHG
10/24/2001	AFFIDAVIT OF SUBSTANTIAL HARDSHIP	SHG
10/24/2001	MOTION FOR APPOINTMENT OF COUNSEL ON APPEAL	SHG
10/24/2001	ORIG TO GRG	SHG
10/25/2001	REQUEST FOR COPIES	Jos

ALABAMA JUDICIAL INFORMATION SYSTEM CASE ACTION SUMMARY CIRCUIT CRIMINAL CASE; CC 2001 000030.00 ACR0370 OPER: SHG 'AGE : RUN DATE: 11/30/2001 IN THE CIRCUIT COURT OF RUSSELL JUDGE: GRG VS HEATH ROY DAVID STATE OF ALABAMA 217344 9947

HWY 21 NO. CASE: CC 2001 000030.00 34503 0000 ATMORE, AL DOB: 12/23/1960 SSN: 259271658 SEX: M HT: 5 06 RACE: W WT: 195 HR; BRO EYES; BRO ALIAS NAMES: IRA TYPE CHANGED FROM: N SHG 10/30/2001 (AR11) 10/30/2001 ATTY 1 TYPE CHANGED FROM: R (AR11) SHG ATTY 1 CHANGED FROM: BRIO16 (AR11) SHG 10/30/2001 ORDER FOR CLERK TO SEND THE DEFENDANT A COPY OF JOS 10/31/2001 10/31/2001 THE CASE ACTION SUMMARY JOS ADDR1 CHANGED FROM: C/O RUSSELL COUNTY (AR01) JOS 11/01/2001 STATUS CHANGED TO: "J" - JAIL (AR01) 11/01/2001 JOS ADDR2 CHANGED FROM: PO BOX 640 (AR01) JOS 11/01/2001 HOME CITY CHANGED FROM: PHENIX CITY 11/01/2001 (AR01) JOS CASE ACTION SUMMARY PRINTED (AROS) JOS 11/01/2001 SENT TO DEFENDANT (AR09) JOS TRANSMITTAL NOTICE 11/01/2001 CERTIFICATE OF COMPLETION AND TRANSMITTAL OF SHG 11/30/2001 RECORD ON APPEAL BY THE TRIAL COURT CLERK SHG 11/30/2001 CASE ACTION SUMMARY PRINTED (AR08) SHG 11/30/2001 CASE ACTION SUMMARY PRINTED (AROS) SHG 11/30/2001

	1 ORI # 2 AGENCY NAME / METO	Narcotiss	Task fore	3 CASE	1202 157 1 STX
-	S LAST, FIRST, MIDDLE NAME	/		AS AKA	
7	7 SEX RACE HGT. 10 WGT. 11 E 12 M DEW CIA 56" 195 B	Bro Bro Med	Sicara "Theatre o	MARKS / ZITATOO	A AMPUTATIONS
TIOI	15 PLACE OF BIRTH (CITY, COUNTY, STATE)	7 5 9 - 1		MZ Z 3 60	18 AGE 19 MISCELLANEOUS ID #
FIC.	20 SID # 21 FINGERPRINT CLASS	KEY MAJOR PRIMARY	SCDY SUB-SECONDARY	FINAL 22 [
IDENTIFICATION	24 FBI # HENRY CLASS NCIC CLASS			25	NONE DENTIFICATION COMMENTS
	26 THE RESIDENT 27 HOME ADDRESS (STREET		25 RESIDENCE	PHONE 28 0	OCCUPATION (BE SPECIFIC)
	2 NON-RESIDENT 3 Trapper 30 EMPLOYER (NAME OF COMPANY/SCHOOL)	Drive Phenix	CT AC (334)	448-1242	ST BUSINESS PHONE
	(Inemployed	N/L	4		()NH
	3 LOCATION OF ARREST (STREET, CITY, STATE, ZIP) 9/5/3/4 Avenue Ren!	x Chy IAL	SECTOR # 35 ARRES	TED FOR YOUR JURISDICTION?	YES NO/
	ARRESTEE: [2] DRINKING [4] DRUGS 41 DATE OF ARREST 42 TIME OF ARREST	37 RESIST AFRESTT 35 INJURIEST TYPES TO NO TO OFFICER 43 DAY OF ARREST MIL S M T W F S	7 T NONE 39 ARM	ED? 40 DESCRIPTION OF WI	EAPON ① OTHER FIREARM ③ OTHER WEAPON
	0 5 0 4 0 0 Z/: 00 1 1. AM A CHARGE-1 28 FEL Z MISD	47 UCR CODE	7 SWARRANT 3 UNKNOW	4 BJ SHOTGEN	49 UCR CODE O NORSESSANTE
	DISTIBUTION OF MOTILE 50 STATE CODELOCAL ORDINANCE ST WARRANTY	eana 354		tion of Morij	UO10 3560
ARREST	134./2-211 00 13	19 1 1	1 1 13A-12-ZI	//	M D Y
AR	SO CHARGE-S I FEL I MISD POSSESSION of Marijuana	- First ST UCR CODE	CHARGE→ T FI	EL Z MISO	SS UCR CODE
	60 STATE CODE/LOCAL ORDINANCE 61 WARRANT #	62 DATE ISSUED	STATE CODE/LOCAL C	RDINANCE 54 WARRANT 0	65 DATE ISSUED M , D , Y
	86 ARREST DISPOSITION ST IF OUT O	ON RELEASE SE ARREI	STED WITH (1) ACCOMPLICE (FULL NAI	AE)	
	THELD AT TOT-LE WHAT TY BAIL STOTHER	L	STED WITH (2) ACCOMPLICE (FULL NAM		
	[] RELEASED	Anne	STED WITH (2) ACCOMPLICE (FULL RAI	ne)	
	70 VYR 71 VMA 72 VMO 73	VST 74 VCO TOP BOTTOM	4	75 TAG #	76 LIS 77 LIY
VEHICLE	78 VIN		79 IMPOUNDED?	90 STORAGE LOCATION/IMPO	UND #
VE	91 OTHER EVIDENCE SEIZED/PROPERTY SEIZED			<u> </u>	
	82 JUVENILE THANDLED AND RELEASED TREF.	TO WELFARE AGENCY 5 REF.	. TO ADULT COURT	lst ac	CONTINUED IN NARRATIVE
"	DISPOSITION: 2 REF. TO JUVENILE COURT 4 REF.	TO OTHER POLICE AGENCY			ELEXAED TO
JUVENIL	84 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)		85 ADDRESS (STREET, CITY, STATE, ZI	רו	# PHONE ()
3	87 PARENTS EMPLOYER 86 OCCUPA	ITION	89 ADDRESS (STREET, CITY, STATE, ZIP)		90 PHONE
	91 DATE AND TIME OF RELEASE	92 RELEASING OFFICER NAME	35 AGENCY/	DIVISION	() M to s
	M O Y : [] AM [] MIL. 95 RELEASED TO:	200			
	NELEASED TO:	94 AGENCY/DIVISION		7 AGENCY ADDRESS	
	96 PERSONAL PROPERTY RELEASED TO ARRESTEE [] YES [] NO [] PARTIAL	99 PROPERTY NOT RELEASED	D/HELD AT:	100 PR	OPERTY #
SE	101 REMARKS (NOTE ANY INJURIES AT TIME OF RELEAT				
REL.EASE		CASE NO 1	0200-1061		-
Œ.	<u> </u>	CASE NO:	00000		LOCAL USE
		CHARGE:	Sale Mon	years.	
	192 SIGNATURE OF RECEIVING OFFICER	DATE FILED:	실명 시간의 충행된다. 1000년 - 1000년 - 1000년 1000년 - 1000년		STATE USE
, ,	TLE 104 CASE#			-	109 SFX 110 ADDITIONAL CASES GLOSED NAMEATIVE N
	Mady ind Oppican (CASI, PINSI, M.)	PRELIMINARY F	HEARING:		116 WATCH CMDR.
	raskla, Tom	SUBPOENAS:	2		D* ID*
	-	DATE DISPOSEI	D:		ACJIC-34 REV. 10-90

Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 11#07/2005 Page 11 of 100

CONSOLIDATED BOND

000006

(District Court, Grand Jury, Circuit Court)

STATE OF ALABAMA	DC.00-1061
	Case Number
v. (1.	STATE OF ALABAMA
KOY HERM	In the DISTRICT Court of
DEFENDANT	RUSSELLCounty
Roin Heath	\
I, (Defendant) MOV THAT	as principal, and
we, A.A.A. BONDING CO.	as sureties, agree to pay the
State of Alabama \$ 25 1 000	unless the above named defendant appears before the District
Court of said County on (Date) 9-7-	
next session of Circuit Court of said County, or in transfer: there to await the action by the grand ju	the event of transfer, in the district or circuit court of the county of any and from session to session thereafter until discharged by law to
answer to the charge of	
We hereby severally certify that we have propert	y over and above all debts and liabilities to the amount of the above
bond. We waive the benefit of all laws exempting collection of debt. by the Constitution and Laws of	property from levy and sale under execution or other process for the of the State of Alabama, and we especially waive our rights to claim
exempt our wages or salary, that we have under t	the laws of Alabama.
It is agreed and understood that this is a con time as the undersigned are duly exonerated.	tinuing bond which shall remain in full force and effect until such
X Ry Vaux 1 ett	Address (Print) City State Zip
Signature of Defendant	-
Still Jemlite	1319 HWY. 77 LAFAYETTE, AL.
Signature of Surety	Address (Print) City State Zip
S:	Address (Print) City State Zip
Signature of Surety	Address (Print) City State Zip
Signature of Surety	Address (Print) City State , Zip
10-20-W	Address (Print) City State Zip
Date O O	Approved by
	SGT 6610
	Title Zit
DEFENDA	ANT'S INFORMATION
Date of Birth /2 - 23-(00. Social Serv	urity Number <u>259-27-4658</u> Sex Ll
	StateRace
Telephone – Residence	Telephone - Work
Appearance Bond – Property	Appearance Bond – Recognizance
Bail Bond	Cash Borld
	CI CARD DOUG

Case 3:05-cv-00936-MEF-CSC Document 9-2

Filed 11/07/2005

POWER OF ATTORNEY
AAA BONDING CO.
LaFayerta, Alabama

Page 12 of 10000007 Nº 14383

KNOW ALL BY THESE PRESENTS. THAT THE AAA BONDING CO., A COMPANY DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF ALABAMA HAS CONSTITUTED AND APPOINTED, AND DOES HEREBY CONSTITUTE AND APPOINT.

AGENT ALL

ITS TRUE AND LAWFUL ATTORNEY-IN-FACT, WITH, FULL POWER AND AUTHORITY TO SIGN THE COMPANY'S NAME AND DELIVER ON ITS BEHALF AS SURETY, ANY AND ALL CBLIGATIONS AS HEREIN PROVIDED, AND THE EXECUTION OF SUCH OBLIGATIONS IN PURSUANCE OF THESE PRESENTS SHALL BE AS BINDING UPON THE COMPANY AS FULLY AND TO ALL INTENTS AND PURPOSES AS IF DONE BY THE REGULARLY ELECTED OFFICERS OF THE SAID COMPANY AT ITS HOME OFFICE IN THEIR PROPER PERSON; AND THE SAID COMPANY HEREBY RATIFIES AND CONFIRMS ALL AND WHATSOEVER ITS SAID ATTORNEY-IN-FACT MAY LAWFULLY DO AND PERFORM IN THE PREMISES BY VIRTUE OF THESE PRESENTS.

THIS POWER OF ATTORNEY IS VOID IF ALTERED OR ERASED. THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF TWO HUNDRED & FIFTY THOUSAND (\$250,000.000) DOLLARS AND MAY BE EXECUTED FOR RECOGNIZANCE OF BAIL BONDS ONLY, BUT INCLUDING PEACE BOND.

DATE (2-25- W) BOND AMOUNT S 2,500	BONDINO
OFFENSET S O) MENT WICOURT DISTRICT CITY NEWS	(T) SEAL S
DATE TO APPEAR IN COURT	TLABANT
DEFENDANT KOY HOTH	(SEAL)
ADDRESS	C. J. Hinsle
than have to make	GENERAL MGR.

AGENT DATE OF ATTO PROVIDE PAYMENTS OF ALIMONY SUPPORT OF WAGE LAW CLAIMS.

DATE OF ALIMONY MUST BE ATTACHED TO EACH BOND AND REMAIN A PERMANENT PART OF THE COURT'S RECORD IN ORDER FOR AAA BONDING CO., TO BE LIABLE. THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OF WAGE LAW CLAIMS.

WHITE-RECEIPT-Client BOTTOM-Jail YELLOW-Office

PINK-Remains in Book

Filed 11/07/2005 Page 13 of 100 Case 3:05-cv-00936-MEF-CSC Document 9-2 G. J. No. 172W01 CC No. DC No. 00-1061 Agency No. SL0003156 A TRUE BILL, presented to the judge Presiding in open Court by the Foreperson of this Grand Jury, and filed in open CC-01-30 Grand Jury Foreman Clerk of the Circuit Court of Russell County Twenty-Sixth Judicial Circuit **INDICTMENT** THE STATE OF ALABAMA vs. ROY D. HEATH SID: AL01597699 alias None Reported **SECTION CHARGES:** 1. DISTRIBUTION OF A CONTROLLED SUBSTANCE Bail fixed at \$ 25,000 this 12 day of JAV , 2001. Judge Presiding **CIRCUIT COURT** THE STATE OF ALABAMA 2001 RUSSELL COUNTY Prosecutor: BUSTER LANDREAU KENNETH DAVIS **DISTRICT ATTORNEY** 000113 TWENTY-SIXTH JUDICIAL

Filed 11/07/2005

Page 14 of 100

Agency No. SL0003156

DC # 00-1061'

G. J. No.172W0 DGGOOS

THE STATE OF ALABAMA, RUSSELL COUNTY CIRCUIT COURT - TWENTY-SIXTH JUDICAL CIRCUIT

COUNT I

The Grand Jury of said county charge that, before the finding of this indictment, ROY D. HEATH, whose name is otherwise unknown to the Grand Jury than as stated, did unlawfully sell, furnish, give away, manufacture, deliver or distribute MARIHUANA, a controlled substance, in violation of Section 13A-12-211 of the Code of Alabama, 1975, as amended, and against the peace and dignity of the State of Alabama.

KENNETH DAVIS

District Attorney

Twenty-Sixth Judicial Circuit

WITNESSES:

KEMIKA ALLOWAY, 1001 13TH. ST. SO., BIRMINGHAM, AL 35205 AGENT JEFF EVANS, METRO NARCOTICS, , TOM FRANKLIN, RCSO, PHENIX CITY, AL 36867 AGENT HERRING, METRO NARCOTICS, ,

Page 15 of 100 GGOO10

State of Alabama Unified Judicial System

PLEA OF NOT GUILTY

Case Number

Form C-69 Rev 6/88	AND WAIVER OF ARRAIGNMENT	cc-01-3036
IN THE CITCU		. (
STATE OF ALABAMA V.	'ox Pavid Heath	
COMES NOW the Defer	ndant in the above styled matter, and to the offense charged en	iters a plea of Not Guilty
Defendant further waives the Defendant is represented b	the right to have an Arraignment at which the Defendant is pres by an attorney.	ent in person, or at which
or before such date as may be Defendant had the right as a m	ically and expressly reserves the right upon the filing hereof to least by the Court, to interpose any special pleas or additionatter of law or rule to interpose in this cause, prior to the filing here.	onal pleadings which the hereof.
Defendant's date of birth in The Defendant is not eligible for	is / 2 / 2 / 3 / 6 / Defendant's age is // for consideration by the Court for Youthful Offender status as p	provided by law.
2/16/01 Date	Defendant ()	Lyt
2///e/01	Attorney for Defendant	M
all matters set forth herein, an to the Defendant his right to be certify to the Court that my clicomplete explanation of each UNDERSTAND THAT I AM RESITHE MAKING OR FILING OF A RESPONSIBLE FOR NOTIFYING INFORMED HIM THAT IN THE ELEGAL ACTION WILL BE TAKEN that I have advised my client thin the event he fails to appear against the Defendant and his	the Attorney for the Defendard in this matter, and that I have fully and pertaining hereto, to the Defendant. I further state to the Cope Arraigned in person and his right to have me represent him a ient hereby knowingly, voluntarily, and intelligently waives the chand every one of them to him by me. BOTH MYSELF PONSIBLE FOR ASCERTAINING WHAT DATE, IF ANY, HAS BEEN ANY ADDITIONAL PLEADINGS OR SPECIAL PLEAS. I FURTHER LAWY CLIENT OF THE DATE HIS CASE IS SET FOR TRIAL, AND THE EVENT HE FAILS TO APPEAR ON THE DATE HIS CASE IS SET FOR AN BY THE COURT AGAINST THE DEFENDANT AND HIS BOND. If hat he is responsible for obtaining the date his case is set for trief on the date his case is set for trial all appropriate legal action was bond, and I hereby certify that the Defendant knows that he is set for trial and for being present in Court on that date.	ourt that I have explained at Arraignment. I further ese rights after a full and AND THE DEFENDANT ISET BY THE COURT FOR JNDERSTAND THAT I AM AT I HAVE ADVISED AND TRIAL, ALL APPROPRIATE urther certify to the Court ial in this matter and that will be taken by the Court is personally responsible
2/16/01	Attorney for Defendant Signature	Mon
	Printed Attorney's Name	Hor Freet 36861
completely and fully read and Court that I do not wish to be Attorney represent me at an .	ttorney has explained each and every matter and right set forthed to so understand each and every matter set forth in this force personally present at an Arraignment in this case and that I Arraignment and WITH FULL KNOWLEDGE OF EACH OF THE COUNTY STATE STATE TO STATE OF THE COUNTY STA	m. I further state to the do not want to have an HESE RIGHTS, I HEREBY
2//b/0	Defendant Signature	16 wt 10
Filed in office this date	2/16/01 Keethy Coult	<u>м</u> ву: JB5

STATE OF ALABAM	A)	IN THE CIRCUIT COURT OF
PLAIN	TIFF,)	RUSSELL COUNTY, ALABAMA
VS.)	CASE NO.: CC <u>0/-30</u>
Loy David &	eath)	
/ DEFEN)	
	ARRAIGN	MENT ORDE	<u>R</u>
Defendant appea	red in open court	t on this	date at which time:
- John Brit	ant advised the of the office	Court tha	t he/she had retained law, to represent him/
unable to	employ counsel to s. The Court app aced and competent	o represe pointed	t he/she was indigent and nt him/her in these
			ffender status. Ruling on at
			the indictment and entered charged therein.
The Court of appeal in		writ for	the defendant's failure to
	ine set for April	l 9, 2001	
X Docket cal	l set for April 1	10, 2001	at 10:00 A.M.
	is scheduled for	trial do	cket of April 16, 2001.
			\$25.00 per week towards to begin 2-26-01.
			•
DONE this the 2	o th day of Februar		Maria Para -
		JUI	DOGE, CIRCUIT COURT

IN THE CIRCUIT COURT OF . STATE OF ALABAMA RUSSELL COUNTY, ALABAMA V. CASE NO. CC-01-030 ROY D. HEATH

NOTICE OF PRIOR CONVICTIONS FOR SENTENCE HEARING

Pursuant to Rule 26.6(b)(3)(ii) of the Alabama Rules of Criminal Procedure, notice is hereby given as to the following convictions which the State intends to establish in the sentence hearing of this Defendant in the event said Defendant is convicted on the instant matter, to-wit:

- 1. In the Superior Court of Muscogee County, Georgia, Case Number SU93CR1905, Count 1, Defendant was convicted of Aggravated Child Molestation. Said Defendant was represented by counsel.
- 2. In the Superior Court of Muscogee County, Georgia, Case Number SU93CR1905, Count 2, Defendant was convicted of Child Molestation. Said Defendant was represented by counsel.
- 3. In the Superior Court of Muscogee County, Georgia, Case Number SU93CR1905, Count 3, Defendant was convicted of Enticing a Child for Immoral Purposes. Said Defendant was represented by counsel

Buster Landreau Chief Deputy District Attorney 26th Judicial Circuit LAN034 CERTIFICATE OF SERVICE The undersigned hereby certifies that he served a copy of the foregoing upon the Hon. John Britton Attorney for Defendant by placing the same in a box reserved in said attorney's name

This 2nd day of March

in the Circuit Clerk's Office of Russell County.

STATE OF ALABAMA

* IN THE CIRCUIT COURT OF

V.

* RUSSELL COUNTY, ALABAMA

*

ROY D. HEATH

CASE NO. CC-01-030

NOTICE OF INTENT TO ADMIT CERTIFICATE OF ANALYSIS

COMES NOW THE STATE OF ALABAMA by and through the District Attorney for Russell County and gives notice to the above named Defendant that it intends to offer proof of the nature and quantity of the substance or substances charged in this case by the certificate of analysis prepared for the State by the Alabama Department of Forensic Sciences in proper form as required by Section 12-21-300 of the Code of Alabama (1975).

FILED IN OFFICE
OFFICE
OFFICE
CIRCUITOST, COURT
RUSSELL, CO., AL

KENNETH DAVIS
DISTRICT ATTORNEY

Chief Deputy District Attorney

LAN034

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing notice on the Hon. **JOHN BRITTON** Counsel for Defendant by placing a copy of said notice in the receptacle reserved in his name in the Circuit Clerk's Office in the courthouse of Russell County, Alabama.

Done this	2ND	Dav of	MARCH	, 2001

Ruster Landreau

00001.1

STATE OF ALABAMA	*	IN THE CIRCUIT COURT OF
	*	
VS.	*	RUSSELL COUNTY, ALABAMA
	*	
ROY D. HEATH	*	CASE NO. CC-01-030

MOTION FOR DISCOVERY

Comes now the State of Alabama by and through its District Attorney, Kenneth Davis and moves the Court pursuant to Rule 16.2 of the Alabama Rules of Criminal Procedure to issue an order directed to Hon. **JOHN BRITTON** Counsel for Defendant, to-wit:

- 1. To permit the State to analyze, inspect, and copy or photograph books, papers, documents, photographs, audio tapes, video tapes, tangible objects, buildings or places, or portions of any of these things, which are within the possession custody, or control of the Defendant and which the Defendant intends to introduce in evidence at the trial.
- 2. To permit the State to inspect and copy any results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with this particular case, which are within the possession or control of the Defendant and which he intends to introduce in evidence at the trial or which were prepared by a witness whom the Defendant intends to call at the trial, if the results or reports relate to the witness's testimony.
- 3. To produce and permit the State to inspect and copy the names and addresses of qualified mental health professionals who have personally examined the Defendant or any evidence in this case, as well as the results of or reports of mental examinations, scientific tests, experiments or comparisons and statements made by such professionals.

Done this	2ND	Day of	MARCH	,2001.

KENNETH DAVIS DISTRICT ATTORNEY 26TH JUDICIAL CIRCUIT

BY:

Chief Deputy District Attorney

LAN 034

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion for Discovery upon the Hon. JOHN BRITTON, Counsel for the Defendant, by placing the same in a receptacle reserved in his/her name in the Office of the Clerk of the Circuit Court of Russell County, Alabama.

Day of MARCH 2001. This the 2ND

STATE OF ALABAMA	*	IN THE CIRCUIT COURT OF
	*	
VS.	*	RUSSELL COUNTY, ALABAMA
	*	·
ROY D. HEATH	*	CASE NO. CC-01-030,036

MOTION FOR CONSOLIDATION OF OFFENSES

The State moves the Court for an order that the above actions be tried together, upon the ground that the alleged offenses charged against the defendant in the indictment in each of said actions could have been joined as a single indictment under Rule 13 of the Alabama Rules of Criminal Procedure in that they are:

- 1. Of the same or similar character; or
- 2. Based on the same conduct or are otherwise connected in their commission; or
- 3. Alleged to have been part of a common scheme or plan.

By trial together of said actions, the expense of and time consumed in trial will be materially

reduced. CHIEF DEPUTY DISTRICT ATTORNEY 26TH JUDICIAL CIRCUIT LAN 034

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the forgoing Motion upon the Hon. JOHN BRITTON Attorney for the Defendant by placing a copy of the same in a receptacle reserved in his name in the office of the Circuit Clerk of Russell County

Day of MARCH Done this 2ND

BUSTER LANDREAU

3/15/2001 - Heavy Set 4/11/2001

Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 11/07/2005 Page 22 of 100

STATE OF ALABAMA, IN THE CIRCUIT COURT OF PLAINTIFF, RUSSELL COUNTY, ALABAMA

VS. CASE NO. CC 01-030,036

ROY D. HEATH DEFENDANT.

ORDER

The State of Alabama, by and through its District Attorney, has filed a motion for discovery in the above case. Upon consideration of the motion, it is ORDERED by the Court that the Defendant shall:

- 1. Permit the District Attorney to analyze, inspect, and copy or photograph books, papers, documents, photographs, tangible objects, buildings or places, or portions of any of these things, which are within the possession, custody or control of the defendant and which the defendant intends to introduce in evidence at the trial.
- 2. Permit the District Attorney to inspect and copy any results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case, which are within the possession or control of the defendant and which the defendant intends to introduce in evidence at the trial or which were prepared by a witness whom the defendant intends to call at trial, if the results or reports relate to the witness's testimony.

DONE this 6th day of March, 2001.

George R. Greene, Circuit Judge

י סווי סיי

_

IN THE CIRCUIT COURT OF RUSSELL COUNTY, ALABAMA

STATE OF ALABAMA)	
PLAINTIFF)	
VS.)	CASE NO. CC-01-30,36
ROY D. HEATH)	
DEFENDANT.)	

ORDER

It is Ordered that the above styled cause is set for a hearing for the 11th day of April, 2001 at 4:00 P.M. in Courtroom No. 1, Russell County Courthouse on the State's motion to consolidate.

Dated this the 20th day of March, 2001.

JUDGE, CIRCUIT COURT

Dearge Sheene

FILED IN OFFICE PRINTED IN OFFICE CINCULTUST, COUNT RUSSELL ED AL

Filed 11/07/2005

Page 24 of 100

000019

State of Alabama Unified Judicial System

EXPLANATION OF RIGHTS AND PLEA OF GUILTY

Case Number

- Came (- A/- 3/4)

Form CR-52 (front)	Rev. 8/11/2000	(Habitual Fel	lony Offender — Cir	reuit or District Court		(count #, if applicable)
INTHE	(Circuit or Di	strict)	COURTOF_	(Name	e of County)	, ALABAMA
You are charg	ged with the crime of desire to enter a plea of	PENAL1	TIES APPLICABLE TO	MANA, Which is a C	195199101 Blass <u>F</u> Felon	y. The court has been
FELONY					······································	
Class A	Not less than ten (10 and may include a fi) years and not more than ne not to exceed \$20,000	nninety-nine (99) years imp 0.	prisonment or life imprisonme	ent in the state penitent	iary, including hard labor
Class B	Not less than two (2) not to exceed \$10,00	years and not more than 0. For imprisonment not	n twenty (20) years impriso more than 3 years, confine	onment in the state penitentia ement may be in county jail a	ary, including hard labo and sentence may inclu	or and may include a fine de hard labor for county.
Class C	Not less than one (1 include a fine not to e) year and one (1) day as exceed \$5,000. For impris	nd not more than ten (10) sonment not more than 3 y	years imprisonment in the sears, confinement may be in	tate penitentiary, include county jail and sentence	ding hard labor and may e may include hard labor
You will also b	e ordered to pay the o	costs of court, which n	nay include the fees of	any appointed attorney, a	and restitution if ther	e is any. You will also

be ordered to pay an additional monetary penalty for the use and benefit of the Alabama Crime Victims Compensation Commission of not less than \$50 and not more than \$10,000 for each felony for which you are convicted.

As a reported habitual offender, you are further advised that the Alabama Habitual Offender Act, §13A-5-9, as amended by Act 2000-759, provides the following enhanced punishment for anyone who has been previously convicted of one or more felonies and who then is convicted of a subsequent felony:

Prior Felonies> This offense	No	One	Two	Three +
	Prior Felonies	Prior Felony	Prior Felonies	Prior Felonies
Class C Felony	1 Yr. & 1 Day —10 Years	2—20 Years	10 — 99 Years or Life	15 — 99 Years or Life
	In State Penitentiary	In State Penitentiary	In State Penitentiary	In State Penitentiary
	Fine Up To \$5,000	Fine Up To \$10,000	Fine Up To \$20,000	Fine Up To \$20,000
Class B Felony	2 — 20 Years,	10 — 99 Years or Life	15— 99 Years or Life	Mandatory Life Imprisonment or
	In State Penitentiary	In State Penitentiary	In State Penitentiary	any term of not less than 20
	Fine Up To \$10,000	Fine Up To \$20,000	Fine Up To \$20,000	years Fine Up To \$20,000
Class A Felony	10 — 99 Years or Life	15 — 99 Years or Life	Life imprisonment or Any Term	Mandatory Imprisonment For Life or Life Imprisonment Without Possibility of Parole Fine Up To \$20,000
(No prior convictions for a	In State Penitentiary	In State Penitentiary	Of Years Not Less Than 99	
Class A Felony)	Fine Up To \$20,000	Fine Up To \$20,000	Fine Up To \$20,000	
Class A Felony (One or more prior convictions for any Class A Felony)	10 — 99 Years or Life In State Penitentiary Fine Up To \$20,000	15 — 99 Years or Life In State Penitentiary Fine Up To \$20,000	Life imprisonment or Any Term Of Years Not Less Than 99 Fine Up To \$20,000	Mandatory Imprisonment For Life Without Possibility of Parole Fine Up to \$20,000

This crime is also subject to the following enhancements or additional penalties as provided by law: (Provisions Checked Apply To Your Case)

☐ Enhanced Punishment For Use Of Firearm Or Deadly Weapon: §13A-5-6, Code of Alabama 1975, provides for sentence enhancement where a "firearm or deadly weapon was used or attempted to be used in the commission of a felony." This section provides for the following punishment in such event: For the commission of a Class A Felony, a term of imprisonment of not less than 20 years; for the commission of a Class B or Class C Felogy, a term of imprisonment of not less than 10 years;

Enhanced Punishment for Drug Sale Near School: §13A-12-250, Code of Alabama 1975, provides that any person who is convicted of un/awfully selling any controlled substance within a three (3) mile radius of a public or private school, college, university or other educational institution, must be punished by an additional penalty of five years imprisonment in a state correctional facility for each violation. This period of imprisonment is mandatory and the punishment imposed shall not be suspended or probation granted.

🗹 Enhanced Punishment for Drug Sale Near Housing Project: §13A-12-270, Code of Alabama 1975, provides that any person who is convicted of unlawfully selling any controlled substance within a three (3) mile radius of a public housing project owned by a housing authority must be punished by an additional penalty of five years' imprisonment in a state correctional facility for each violation. This period of imprisonment is mandatory and the punishment imposed shall not be suspended or probation granted.

☐ Enhanced Punishment For Sales Of Controlled Substance To Anyone Under 18: §13A-12-215, Code of Alabama 1975, provides that anyone convicted of selling, furnishing, or giving away a controlled substance to one who has not yet attained the age of 18 years, shall be guilty of a Class A Felony and the punishment imposed shall not be suspended or probation granted.

☐ Drug Demand Reduction Assessment Act and Loss of Driving Privileges: Section 13A-12-281 provides that, if you are convicted of a violation of §13A-12-202 (criminal solicitation to commit controlled substance crime), 13A-12-203 (attempt to commit a controlled substance crime), 13A-12-204 (criminal conspiracy), 13A-12-211(unlawful distribution of a controlled substance), 13A-12-212 (unlawful possession or receipt of a controlled substance), 13A-12-213 (unlawful possession of marijuana, 1st), 13A-12-215 (sale, furnishing, etc., of controlled substance by person over age 18 to person under age 18) or 13A-12-231(drug trafficking), Code of Alabama 1975, you shall be assessed an additional fee of \$1,000 if you are a first-time offender or

Form CR-52 (back)	Rev. 8/11/2000	EXPLANATION OF RIGHTS AND PLEA OF GUILTY (Habitual Felony Offender Circuit or District Court)
the court to reduce the court if you fail to possession of marijus	program and if you a ne penalty by the am enroll in or success ana in the second d	rone of these sections. Collection of all or part of the penalty will be suspended if, with court approval, you enter to pay for a part or all of the program costs. Upon successful completion of the program, you may apply to count actually paid by you for participation in the program. Any suspension of the penalty can be withdrawn by fully pursue or otherwise fail to complete an approved program. In addition, pursuant to §13A-12-214 (unlawful egree), §32-5A-191(a)(3) or §32-5A-191(a)(4)(DUI offenses involving drugs), you will lose your privilege to drive so, which shall be in addition to any suspension or revocation otherwise provided by law.
□ Alcohol/Drug substance abuse. Bat treatment and to pay program to which you monitoring sessions, waiver of part of all of ordered by the count □ DNA Sample the offenses set out it attempt, conspiracy, □ Drug Posses	g Related Offenses ased upon the result for the evaluation at may be referred with including random do for the fees assessed in lieu of the monetates for Criminal Offen § 36-18-24 (felony cor solicitation thereosion: If you are consisted the results of the secons of the secons of the secons of the results of the secons of the results	If you are convicted of an alcohol or drug-related offense, you will be required to undergo an evaluation for its of any such evaluation, you will be required to complete the recommended course of education and/or and any cost of program to which you are referred. Failure to submit to an evaluation or failure to complete any libe considered a violation of any probation or parole you may be granted. You may also be required to attending and alcohol testing or blood, urine and/or breath, tests and to pay a fee for this service. You may request a if you are indigent or for any portion of time you are financially unable to pay. Community service may be
Other:		
not be compelled to get of answer any questic You have the right of th	ive evidence agains ons. If you do answe he to enter, and content to enter, and content to enter to enter to enter to enter accuser(s) and a surt and their testimo one can require you amination. If you do everything he/she occeed to trial, you content evidence to case. If the State ficted, you are waiving filed with the court. GUILTY, THERE WESENTATION BY AS ON YOUR GUILT NY QUESTIONS AE URTHER EXPLANA	RIGHTS YOU HAVE AND WAIVER OF YOUR RIGHTS States and the Constitution and laws of the State of Alabama, you have a right to remain silent and you may t yourself. Your attorney cannot disclose any confidential talks he/she has had with you. You are not required er questions knowing that you have a right to remain silent, you will have waived this right. cinue to assert, a plea of "Not Guilty" or "Not Guilty by Reason of Mental Disease or Defect," and have a public would decide your guilt or innocence based upon the evidence presented before them. If you elect to proceed sent, you would have the right to have your attorney present to assist you, you would have the right to confront II the State's witnesses, you would have the right to subpoena witnesses to testify on your behalf and to have my required by the court, and you would have the right to take the witness stand and to testify, but only if you a to do this. If you elect to testify, you can be cross examined by the State, just as any other witness is cide not to testify, no one but your attorney will be allowed to comment about that fact to the jury. Your can honorably and reasonably do to see that you obtain a fair and impartial trial. The to court presumed to be innocent. This presumption of innocence will follow you throughout the trial until convince the jury (or the court if the trial is non-jury) of your guilt beyond a reasonable doubt. You have no alis to meet its burden, you would be found not guilty. If you are entering a guilty plea to a charge for which you gi indictment by a grand jury and you will be pleading guilty to a charge preferred against you by a District III. BE NO TRIAL. YOU WILL BE WAIVING THE RIGHTS OUTLINED ABOVE, EXCEPT YOUR RIGHTS AN ATTORNEY. THE STATE WILL HAVE NOTHING TO PROVE, AND YOU WILL BE CONVICTED AND YPLEA. YOU WILL, HOWEVER, HAVE THE RIGHT TO APPEAL. JUdge
Date '/ '/		Juage
n detail the defendant s knowingly, voluntari	's rights and the cor ly, and intelligently v	ATTORNEY'S CERTIFICATE to the defendant by me; that I explained the penalty or penalties involved with the defendant; that I discussed insequences of pleading guilty; and that, in my judgment, the defendant understands the same and that he/she vaiving his/her rights and entering a yoluntary and intelligent plea of guilty. I further certify to the court that I indant to plead guilty and to my knowledge no one else has dane so.
Date /		Attorney / / / / / / / / / / / / / / / / / / /
	DEFE	NDANT'S STATEMENT OF WAIVER OF RIGHTS AND PLEA OF GUILTY
ully explained; that I unay apply to my case, everages; and I have blea agreement which I further state to t	urt that my attorney inderstand the charg and I understand the not been threatened will be stated on the court that I am good that I knowingly, it is not the the court that I am good that I knowingly, is not that I knowin	has read and explained the matters set forth above; that my rights have been discussed with me in detail and se or charges against me, that I understand my rights, the punishment or punishments provided by law as they see consequences of pleading guilty; that I am not under the influence of any drugs, medicines, or alcoholic d or abused or offered any inducement, reward, or hope of reward to plead guilty other than the terms of the record. Lilty of the charge to which I am entering a plea of guilty, that I desire to plead guilty, that I made up my own intelligently, and voluntarily waive my right to a trial in this case. I further state to the court that I am satisfied
' /		

Circuit Judge - Russell County, Alabama

120000

STATE OF A	LABAMA	*	IN THE CIRCUIT COURT OF
VS.		*	RUSSELL COUNTY, ALABAMA
ROY D. HEA	TH	*	CASE NO. CC-01-030,036
	STATEMENT OF AT	TORNEY'S RI	EPRESENTATION
Comes now the correct all of t	he Defendant in the above-s he following as to the repres	styled matter to entation of the A	honestly state under oath, as true and Attorney(s) of Record herein.
1)	Are you completely satisfied case? Yes	d with the way y	our attorney has represented you in this
2)	Given all the circumstances, out by your attorney in this Yes	are you complet case? No	tely satisfied with the settlement worked
3)	Do you accept this settleme Yes	nt voluntarily ar	nd of your own free will?
4)	Did anyone force, coerce, the settlement? Yes	reaten, or promi	se you anything to get you to accept this
5)	Do you have any complaints received in this matter? Yes	s at all about youNo	r attorney or the legal representation you
I DO HEREF absolutely tru		h before this Co	ourt, that all of the above answers are
O and	thu A (Date: 4/9/1/
Defendant			' /

J00022

STATE OF ALABAMA * IN THE CIRCUIT COURT OF

*

VS. * RUSSELL COUNTY, ALABAMA

*

ROY D. HEATH * **CASE NO. CC-01-030,036**

PLEA AGREEMENT

The Defendant has been indicted for the following:

<u>CASE NO.</u> <u>OFFENSE CHARGED</u>

CC-01-030 DISTRIBUTION OF MARIJUANA

CC-01-036 COUNT 1 DISTRIBUTION OF MARIJUANA

COUNT 2 POSSESSION OF MARIJUANA 1ST

Upon Defendant's plea of guilty to the charge(s) below, the District Attorney recommends the following:

CASE NO. OFFENSE PLED

CC-01-030 DISTRIBUTION OF MARIJUANA

CC-01-036 COUNT 1 DISTRIBUTION OF MARIJUANA

COUNT 2 POSSESSION OF MARIJUANA 1ST

SENTENCE

CC-01-030

30 YEARS plus costs plus a \$1,000.00 penalty mandated by the Demand Reduction Assessment Act of §13A-12-281 plus \$100.00 to the Forensic Science Fund and \$100.00 to the Victim's Compensation Fund. Further, the Defendant understands that §13A-12-290 requires that the Department of Public Safety requires the suspension of the Defendant's driver's license for a period of six (6) months.

(This 30 years shall consist of 20 years for violation of §13A-12-211, an additional 5 years mandated by §13A-12-250 for a sale of a controlled substance at or near a school campus and an additional 5 years mandated by §13A-12-270 for a sale of a controlled substance at or near a public housing

__3023

project. For purposes of this plea, the Defendant agrees to stipulate that this act occurred within three (3) miles of both a school and a housing project. No further proof of this by the State of Alabama will be required.)

CC-01-036 Count 1

30 YEARS Concurrent with the sentences imposed in CC-01-030 and Count 2 hereof, plus costs plus a \$1,000.00 penalty mandated by the Demand Reduction Assessment Act of §13A-12-281 plus \$100.00 to the Forensic Science Fund and \$100.00 to the Victim's Compensation Fund. Further, the Defendant understands that §13A-12-290 requires that the Department of Public Safety requires the suspension of the Defendant's driver's license for a period of six (6) months.

(This 30 years shall consist of 20 years for violation of §13A-12-211, an additional 5 years mandated by §13A-12-250 for a sale of a controlled substance at or near a school campus and an additional 5 years mandated by §13A-12-270 for a sale of a controlled substance at or near a public housing project. For purposes of this plea, the Defendant agrees to stipulate that this act occurred within three (3) miles of both a school and a housing project. No further proof of this by the State of Alabama will be required.)

CC-01-036 Count 2

30 YEARS Concurrent with the sentences imposed in CC-01-030 and Count 1 hereof, plus costs plus a \$1,000.00 penalty mandated by the Demand Reduction Assessment Act of §13A-12-281 plus \$100.00 to the Forensic Science Fund and \$100.00 to the Victim's Compensation Fund. Further, the Defendant understands that §13A-12-290 requires that the Department of Public Safety requires the suspension of the Defendant's driver's license for a period of six (6) months.

HABITUAL OFFENDER APPLICATION

It is further agreed by the State of Alabama and the Defendant that Defendant has Three (3) prior felony conviction(s) and that Defendant will stipulate to same and that no further proof of this conviction need be made by the State of Alabama upon sentencing.

RESTITUTION

The Defendant, counsel for the Defendant and the District Attorney agree that restitution is due the victim(s) as follows:

CASE NO.

AMOUNT

VICTIM AND ADDRESS

CC-01-030,036

none

DEFENDANT HEREBY WAIVES HIS/HER RIGHT TO A RESTITUTION HEARING

The Defendant is hereby ordered to pay restitution and court costs in the above-styled case. The Defendant agrees to make payments of \$_100.00______ per month, or such amount as determined by the Probation Officer (whichever is greater) beginning 90 days subsequent to the date the Defendant was sentenced.

If the Defendant is incarcerated as a result of the sentence imposed in this case, the Defendant agrees to make payments within 90 days of release from confinement. If the Defendant receives probation as a result of the sentence imposed in this case, the Defendant agrees to make payments as delineated above and the Defendant agrees that a condition of his probation is to make regular payments.

The Defendant understands that failure to make regular monthly payments will result in an additional thirty per cent (30%) collection fee being added to the balance after 90 days. Failure of the Defendant to make regular payments may result in a wage withholding order being issued by this court.

APPEAL

If the Defendant files any post conviction petition (including but not limited to a Rule 32 Petition, a Motion for New Trial, a Motion to Set Aside this Plea Agreement or an Appeal) the State may void this agreement and return the original charges in this matter to the Trial docket.

It is further agreed by the Defendant, counsel for the Defendant and the District attorney that upon approval of the above by the Court, the Defendant will enter a plea of guilty.

Done this the

Defendant

, 2001.

District Attorney

Defendant's Counsel of Record

John Britton

PLEA OF GUILTY

ר.	re of Alabama vs. Roy David Death
,	Defendant, together with his/her attorney, appeared in open court on this date at which time:
	The defendant, having been advised by the Court of the charge(s) embraced in the indictment and the punishment therefore, and the Court being satisfied that the defendant has been advised of his/her rights under the Constitutions of this State and the United States, the said defendant, with the consent and advise of his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the offense of Distribution of as charged in the indictment.
	The defendant having been advised by the Court of the charge(s) embraced in the indictment and the punishment therefore, and the Court being
	satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the LESSER AND
	satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney,
	satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the LESSER AND INCLUDED offense of
	satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the LESSER AND INCLUDED offense of as charged in the indictment.
-	satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the LESSER AND INCLUDED offense of as charged in the indictment. Sentencing hearing is waived by both parties.

STATE	OF ALABAMA,)	IN THE CIRCUIT COURT 00026 RUSSELL COUNTY, ALABAMA
ROY D	. HEATH)	CASE NO. CC 01-30
DEFEN	DANT		
		ENTENCING ORDER	
The dopen	efendant and counsel, and court for the defendant to IBUTION OF MARIJUANA	counsel for the St be sentenced on h	ate of Alabama appeared in is/her conviction of
	HABIT	UAL FELONY OFFENDER	2
	The defendant is sentenced of Section 13A-5-9 and 10	l as a habitual off of the <u>Code of Ala</u>	ender under the provision bama.
		SENTENCE	
	The Court conducted a sent	encing hearing.	
	A pre-sentence report was the Court.	requested by the d	efendant and considered by
	The defendant waived a pre	e-sentence investig	ation and report.
	The defendant is sentenced Department of Corrections	to the custody of for a period of 3.	the Commissioner of the year(s) life.
	Sentence to including five 270, Code of Alabama, ar pursuant to 13A- 12-250	nd an additional fi	ment pursuant to 13A-12- ve (5) years enhancement
	The defendant is sentenced County for a period of	to the custody of year(s), mo	the Sheriff of Russell nth(s).
	The defendant's sentence simposed in	shall be concurrent 86, CT/ and	with the sentence(s)
	The defendant shall pay reto collect and disburse reto other court costs.	. The Clerk of	the Court is authorized
	The defendant shall be give	ven credit for time	served.
	The defendant shall pay a	fine in the amount	of \$
	The defendant shall pay \$3	10.00 per day incar	ceration fee.
	The defendant shall pay the		
	The defendant shall pay to Commission the sum of \$	100	
	The defendant shall perform		
	The defendant is assessed Reduction Assessment According Alabama which will be sustin rehabilitation, ogram	unt, Section 13A-12 pended upon defenda	alty mandated by the Demand 2-281 of the <u>Code of</u> ant's agreement to enroll

The defendant was advised that he/she has the right to appeal his/her conviction and sentence, and if declared indigent he/she has the right

to appointed counsel and the court reporter's transcript will be

A review is scheduled for ______, 2001 at _____

provided without cost to the defendant.

DONE and ORDERED in open court this 31st day of May

JUDGE, CIRC F COURT

ACR359

ALABAMA JUDICIAL DATA CEN.ER RUSSELL COUNTY TRANSCRIPT OF RECORD CONVICTION REPORT

100028

CC 2001 000030.00 01 GEORGE R. GREENE

CIRCUIT COURT (OF RUSSELL COUNT	[Y	COURT ORI: 0	57015 J
STATE OF ALABAI HEATH ROY DAVI TRAPPER DRIVE PHENIX CITY ALE	MA VS. D ALIA E ALIA _ 36867	45;	DC NO: DC 20 G J: 172 SSN: 25927 SID: 00000 AIS:	00 001041.00 1458 0000
DOB: 12/23/190	SO SEX: M HI	7: 5 06 WT: 195 (ION: AGE	HAIR; BRO ; FEAT	EYE; BRO
! DATE OFFENSE: (00/00/0000 ARRE	EST DATE: 05/05/20	00 ARREST D	RI: 0570000 !
CHARGES @ CONV UNLAW DISTRIB CO	CITES ONT 13A-012-211	CT CL COURT A 01 B GUILTY 00 00	CTION FLEA	CA DATE 04/09/2001 00/00/0000 00/00/0000
JUDGE: GEORGE	R. GREENE	PROSECUTOR:	EDWARDS JOSE	PH W
PROBATION APPL:	[ED GRANTED [ATE REARRESTE	D DATE REVO	KED DATE
15-18-8, CODE (()Y (X)N C(FI DATE SENTENCED	OF ALA 1975 INDIVIDUO INFINEMENT: 30 ROBATION : 00 S / 31 / 2001	POSED SUSPENDED 00 000 000 000 000 SENTENCE BEGINS:	TOTAL 30 00 000 00 00 000 05/31/2001	JAIL CREDIT 00 00 047
DECUTETONE		COCTO / DECT TTUTTON	תווב	0000000
PENITENTIARY HABITUAL OFDR DOC/SAPP PGM ENHANCED SCH ENHANCED PROJ DRUG		RESTITUTION ATTORNEY FEE CRIME VICTIMS COST FINE MUNICIPAL FEES DRUG FEES ADDTL DEFENDANT DA FEES COLLECTION ACCT JAIL FEES	\$0.00 \$100.00 \$100.00 \$3.00 \$0.00 \$0.00 \$13.60.00 \$0.00 \$0.00 \$0.00 \$0.00	\$0.00 \$400.00 \$100.00 \$360.00 \$0.00 \$1360.00 \$0.00 \$0.00 \$0.00 \$0.00
		TOTAL AFFIRMED	\$2220.02	\$2220.02
i				Į.
() Y () N		:===== () Y () N		,
i REMARKS; I I I		FROM OFF	TO CERTIFY THE FORMATION WAS ICIAL COURT F RUE AND CORRE	E EXTRACTED RECORDS
		HOTT RATHY-CD 06/07/200	y Coult	

OPERATOR: JOS PREPARED: 06/07/2001

Phenix City, Al.

ACR371 ACR371 NOTICE OF APPEAL TO THE ALABAMA CO	URT OF CRIMINAL APPEALS T CLERK
IN THE CIRCUIT COURT OF STATE OF ALABAMA VS HEATH ROY DAVID	JUDGE: GEORGE R. GREENE
APPEAL DATE: 07/11/2001	
INDIGENCY STATUS: GRANTED INDIGENCY STATUS AT TRIAL COURT APP. TRIAL COUNSEL PERMITTED TO W/D ON INDIGENT STATUS REVOKED ON APPEAL: INDIGENT STATUS GRANTED ON APPEAL:	: YES -X- NO HES -X- N
DEATH CHARLES AND	
APPEAL TYPE: OTHER (SPECIFY)	TITION / I DUE 30 DETITION.
THIS APPEAL IS FROM AN ORDER DENYING A PEWRIT OF HABEAS CORPUS, ETC) OR FROM ANY O	THER ISSUED BY THE TRIAL JUDGE.
CO/CASE NUMBER: 57/00 2001 000030.00	DENTED COANTED
ORDER ENTERED (DATE): 04092001 FETITION:	DISWISSED DENIED GRANTED
THIS IS AN APPEAL FROM A CONVICTION.	DATE OF SENTENCE: 05/31/2001
DATE OF CONVICTION: 04/09/2001	DATE OF SENTENCE, 03/31/2001
YOUTHFUL OFFENDER STATUS: DENIED	
CO/CASE NUMBER: 57/CC 2001 000030.00 CODE: UDCS CONVICTION: UNLAW DISTRIB CO	ACTION: GUILTY PLEA STATUTE: 13A-012-211
SENTENCE: CONF: 30 YRS 00 MOS 000 DAYS SENTENCE: PROB: 00 YRS 00 MOS 000 DAYS	LIFE: NO LIFEWO: NO
POST-JUDGMENT MOTIONS FILED: DT FILED MOTION FOR NEW TRIAL	DT DENIED CON BY AGREE
TO MOTION FOR JUDG, OF ACQUIT TO MOTION TO W/D GUILTY PLEA TO MOTION FOR ATTY TO W/DRAW TO OTHER	
COURT REPORTER(S): ADDRESS:	WILSON, LINDA S. C/O HON. GEORGE R. GREENE PHENIX CITY , AL 36867
APPELLATE COUNSEL #1: ADDRESS: PHONE NUMBER:	BRITTON JOHN M P O DRAWER 1188 PHENIX CITY , AL 36867 205-298-7062
APPELLATE COUNSEL #2: ADDRESS:	
PHONE NUMBER:	
APPELLANT (PRO SE): ADDRESS:	HEATH ROY DAVID 3 TRAPPER DRIVE PHENIX CITY , AL 368670000
AIS *:	
APPELLEE (IF CITY APPEAL): ADDRESS:	
	operator: yoş
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS ACCURATE TO THE BEST OF MY	PREPAGED: 07/11/2001
KNOWLEDGE AND I HAVE SERVED A COPY OF THIS NOTICE OF APPEAL OF ALL PARTIES TO THIS ACTION ON THIS ACTION OF THE DAY OF THE THIS ACTION OF THE PARTIES TO THE	FATEL COURT CLERO
THIS ACTION ON THIS 7222	-

PE0000

THE STATE OF ALABAMA VS. HEATH ROY DAVID

HEATH ROY DAVID C/O RUSSELL COUNTY JAIL PO ROX 640 PHENIX CITY AL 36868 0000 CASE NUMBER: CC 2001 000030.00

PARTY NUMBER: DEFD

CC 2001-30 CC 2001-35

DUE TO THE DEATH OF YOUR ATTORNEY, MR. JOHN BRITTON, YOU WILL BE CONSIDERED TO BE PRO SE AS TO YOUR PENDING APPEAL.

ATTACHED ARE THE FORMS YOU OR YOUR NEWLY RETAINED COUNSEL SHOULD COMPLETE AND RETURN TO THE CIRCUIT CLERK'S OFFICE AS SOON AS POSSIBLE.

NOTICE ISSUED ON: 08/06/2001

CLERK: KATHY COULTER

(08/05/2001) SHG

STATE OF ALABAMA) IN THE CIRCUIT COURT O
PLAINTIFF,	RUSSELL COUNTY, ALABAM
VS.) CASE NO.: CC 01-30,36
ROY D. HEATH)
DEFENDANT.)

ORDER

The Court taking into consideration the defendant's written Request for appeal hearing, it is therefore,

ORDERED, ADJUDGED AND DECREED that the request for appeal hearing is denied.

DONE this the 9th day of August, 2001.

Judge Chelle

THE THE DESCRIPTION OF THE STATE OF THE STAT

	REQUEST FO	R LOCAL EXT	ENSION OF T TER'S TRANS	'IME CRIPT	0000
Roy Davi Appellant's Name	id Heath	vv.	State o	1 Staba	ma
Trial Court Case No.(CC01-30	Notice of App	eal Date 7/1	(101	
On appeal from the:	Circuit Cour District Cour Juvenile Cou	t of 1 Hu	issell	County .·	
hereby request a	Currently this transc	ript is due on _	the transcript in	n said cause f	or the reasons
Suida (Juli) Court Reporter		9/0 Date	4/01		
	TRI	AL COURT AC	TION		
the transcript's due da	the above request, I herebale to 1020 and to mail or fax a later than the transcript of	. Upon granting this	s raquast, I diract Clark of the Court	the court reporte of Criminal Appe	r to file this order
The above reference Sease Judge's Signature	d request for a local extens	sion is denied.	14/01	<u> </u>	
Note: Pursuant to Rule days and cannot be to a	e 11(c) of the Alabama Ru date more than 84 days f	ulos of Appellate Pr rom the date of the		ensions cannot t	otal more than 28

State of Alabama Unified Judicial System

Form C-10 Page 1 of 2

Rev. 2/95

AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER

Case Number 00003

IN THE District CIRCUIT COURT OF Kusell , ALABAMA (Circuit, District, or Municipal) (Name of County or Municipality)
STYLE OF CASE: <u>STA te</u> v. <u>Roy O. Healh</u> Plaintiff(s) Defendant(s)
Plantin(s)
TIFE OF FROGEEDING.
CIVIL CASE I, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request that payment of these fees be waived initially and taxed as costs at the conclusion of the case. CIVIL CASE (such as paternity, support, termination of parental rights, dependency) - I am financially unable to hire an attorney and I request that the court appoint one for me. CRIMINAL CASE I am financially unable to hire an attorney and request that the court appoint one for me.
CRIMINAL CASE I am financially unable to hire an attorney and request that the court appoint one to me. DELINQUENCY/NEED OF SUPERVISION I am financially unable to hire an attorney and request that the court appoint
one for my child/me.
AFFIDAVIT
SECTION I.
1. IDENTIFICATION Full name Roy O. Heath Spouse's full name (if married) Teresa V. Heath Complete home address 989 Lee Rd L40
3A/em, AL. 368/9
Number of people living in household Home telephone number 334-448-7322 Home telephone number 334-448-7322
Occupation/Job CAr Denter Length of employment ONEmployee
Employeds telephone number
Employer stelephone numberEmployer's telephone number
Linployer 5 dod. 605
2. ASSISTANCE BENEFITS
Do you or anyone residing in your household receive benefits from any of the following sources? (If so, please check those which apply.)
□ AFDC □ Food Stamps □ SSI □ Medicaid □ Other NO
3. INCOME/EXPENSE STATEMENT
Monthly Gross Income: Monthly Gross Income Spouse's Monthly Gross Income (unless a marital offense) Other Earnings: Commissions, Bonuses, Interest Income, etc. Contributions from Other People Living in Household Unemployment/Workmen's Compensation, Spoial Socurity Retirements, etc.
Social Security, Retirements, etc. Other Income (be specific) spruses (h. 1d Supp. 300.00
Other Income (be specific) Spaces the 18 Supp. TOTAL MONTHLY GROSS INCOME \$ 780.00
Monthly Expenses:
A. Living Expenses Rent/Mortgage Total Utilities: Gas, Electricity, Water, etc. \$ \frac{4/5.66}{1/0.86} \\ \frac{1/0.86}{3.00.89}
Food Clothing Health Care/Medical
Insurance Car Payment(s)/Transportation Expenses Loan Payment(s)

3	Page 2 of 2 Rev. 2/95 Document 9-	SUBSTANTIAL HARDSI	HIP AND ORDER
			000025
Mo	onthly Expenses: (cont'd page 1) Credit Card Payment(s)		_
	Educational/Employment Expenses		en e
	Other Expenses (be specific)		
	Sub-Total		A \$ 765.00
B.	Child Support Payment(s)/Alimony	\$	
D.	Sub-Total		В \$
C.		\$	B 2
O.	TOTAL MONTHLY EXPENSES (add subto	otals from A & B monthly o	nlu) \$ 765 00
	10175 months and save	The state of the s	
To	otal Gross Monthly Income Less total monthly expenses	s:	
	DISPOSABLE MONTHLY INC	OME	\$ <u>15.00</u>
4. LIQL	JID ASSETS:		
С	ash on Hand/Bank (or otherwise available such as stocks,		
	ponds, certificates of deposit) [guity in Real Estate (value of property less what you owe)	\$	
E	quity in Personal Property, etc. (such as the value of		. Filed IM vial septo
	notor vehicles, stereo, VCR, furnishing, jewelry, tools, uns, less what you owe)		LED 174 RUSSUU RUSSUU
Ŏ	ther (be specific)		
D	and, house, boat, TV, stereo, jewelry)		0+F PH 00
(la If	and, house, boat, 1v, stereo, jeweiry) so, describe		FILED IN OFFICE N SEP TO BIT 3: DROSELT BE COURT
		- -	
	TOTAL LIQUID ASSETS		\$
I swe to an obtain under the fe	avit/Request ear or affirm that the answers are true and reflect my currency question in the affidavit may subject me to the penalties of n records of information pertaining to my financial status from a retand and acknowledge that, if the court appoints an attorned eas and expenses of my court-appointed counsel.	f perjury. I authorize the court on ny source in order to verify infol	or its authorized representative to rmation provided by me. I further
Swor	n to and subscribed before me this	Roy	Jan Hall
10	day of fleptamber. 2001	Affiant's Signature	
	200	Row	DAUTEL HEATH
(Judg	e/Clerk/Notary	Print or Type Name	<u> </u>
	ORDER OF C	COURT	三百万 80 五
\ pr Ai	THEREFORE, ORDERED, AND ADJUDGED BY THE COUNTY IN THE COUN	URT AS FOLLOWS: oward his/her defense: therefore	e defendant is ordered to pay
or □ Af	dered and disbursed as follows: ffiant is indigent and request is GRANTED. he prepayment of docket fees is waived.		
	FURTHER ORDERED AND ADJUDGED that	, is hereby a	ppointed as counsel to represent
affian IT IS I	FURTHER ORDERED AND ADJUDGED that the court reserve	es the right and may order reimi	bursement of attorney's fees and
exper	nses, approved by the court and paid to the appointed count this day of	sel, and costs of court.	·
20116		M/h	
		, Judge	\ 1 - 0
Tim	in to appeal consider	has classed	. Seperalut
	arached ught to up	sell "	

In the Court of Criminal Mark Peals of Alabamaellate court

Lane Mann , Clerk of appellate court

State of Alabama, Plaintiff,) Case No.: Case # CR -0002143)
vs.) For Appeal)
Roy David Heath,	
Defendant	

Motion For The Appointment of Court Appointed Attorney

And Motion For Enlargement of Time

Defendant Roy David Heath respectfully requests that this Court enter an order appointing a court appointed attorney to represent him on this appeal. In addition, the Defendant asks for an enlargement of time in order to allow the court appointed attorney the opportunity to adequately represent the Defendant in this appeal:

- Defendant was convicted of Unlawful Distribution, Unlawful Distribution, Possession of a Controlled Substance. In the Circuit Court of Russell County on May 31, 2001.
- Defendant was represented by Attorney John Britton at his trial. Since the trial, Attorney John Britton has died. Defendant was represented at the trial by a paid attorney. Because the Defendant is now incarcerated and cannot work, the Defendant cannot afford to hire a new attorney to represent him in his appeal.
- 3. Defendant filed an affidavit of hardship showing his indigence (a copy of this denial is attached)

with the trial court and asked the trial court to appoint a court appointed attorney to represent him in his appeal. The trial court denied the Defendant's request for a court Appointed attorney. The trial court's order is attached.

- 4. It is not possible for Defendant to hire him an attorney to represent him in this appeal. The Defendant has used up all his available resources in paying his trial attorney to represent him. If the Defendant is not given a court appointed attorney, the Defendant will be deprived of his legal and constitutional right to appeal and have council.
- Once the court appoints a court appointed attorney to Represent the Defendant, the court appointed attorney would need an enlargement of time in order to adequately represent the Defendant in this appeal.
- For these reasons, Defendant respectfully requests that This Court enter an order appointing a court appointed attorney to represent him in this appeal. In addition, Defendant respectfully asks that this Court grant an enlargement of time to the court appointed attorney.

Respectfully submitted this the 1st day of October 2001,

Roy David Heath
Pro Se

Roy David Heath
Fountain 3800
Atmore, Al. 36503
AIS # 21-73-44

Certificate of Service

I hereby certify that I have this the 1st day or October 2001 served a copy of the foregoing upon all respondent judges and counsel in this matter by placing a copy of the foregoing upon all respondent judges and counsel in this matter by placing a copy of same in the United States mail with sufficient postage affixed thereon as follows:

Attorney General State of Alabama

Roy David Heath

Pro Se

State of Alabama	COURT OF CRIMINAL APP	FAIS Criminal Appeal Number 00
Unified Judicial System	DOCKETING STATEME	100 00 71/12
Form ARAP- 26 (front) 8/91	DOCKETING STATEME	NI 07 - 00 - 0.7 75
A. GENERAL INFORMATION:	 D	11
CIRCUIT COURT DISTRICT COUR	T DIUVENILE COURT OF Kusse	COUNTY
\mathcal{L}		
Koy DAU,	d Heath	, Appellan
V. STATE OF ALABAMA	MUNICIPALITY OF	
Case Number	Date of Complaint or Indictment	Date of Judgment/Sentence/Order
Number of Days of Trial/Hearing	30,00 4/9/0/ Date of Notice of Appeal	13/3//0/
A//A	Days Oral:	Written: 7 /// 0 /
Mark Mark Stranger		, , , , , , , , , , , , , , , , , , ,
Indigent Status Requested: X Yes		med. Tres pt No
B. REPRESENTATION:		
		and the second
Is Attorney Appointed or Retained?	Appointed Retained. If no attor	rney, will appellant represent self? Yes No
Appellant's Attorney (Appellant if pro	e) (Attach additional pages if necessary)	Telephone Number
Tolar Northern 1	decrosed prosesince 8/6	(h)
Address	City /	State Zip Code
C. CODEFENDANTS: List each CODEFE	NDANT and the codefendant's case number.	
Codefendant	•	Case Number
DARRIN M.	MMS	Case Number
Codefendant	about the	
Codefendant		Case Number
D TVDC OF ADDEAL of the deal of the	a allasti a blash	
D. TYPE OF APPEAL: Please check the		02
	retrial Order 7 🔲 Juvenile Transf	
	ontempt Adjudication 8 Juvenile Delinq Iunicipal Conviction 9 Habeas Corpus	•
E. UNDERLYING CONVICTION/CHA	RGE: Regardless of the type of appeal checked	in Section D, piease check the box beside each offense
category for which the appellant has be	en convicted or charged as it relates to this appea	al. Also include the applicable section of the Code of
Alabama for State convictions.	_	
1 Capital Offense - §		11
2	7 ☐ Theft • § 8 ☐ Damage or Intrusion	13 Traffic - DUI - §
4 Kidnapping/Unlawful	to Property - §	14 Traffic - Other - §
Imprisonment - §	9 Escape - §	15 Miscellaneous (Specify): SAIC OF CONTRISH: 5
5 Drug Possession - §	10	
F. DEATH PENALTY:		\mathcal{M}
Does this appeal involve a case where t	ne death penalty has been imposed? 🔲 Yes 🛒	ĎNo
G. TRANSCRIPT:		1
1. Will the record on appeal have a repo	orter's transcript? 🔀 Yes 🗌 No	NOT 1 'NI
If the answer to question "1" is "Yes	." state the date the Reporter's Transcript Order v	was filed. (Date)
3. If the answer to question "1" is "No"	': I with the circuit clerk?	(500)
(b) Will the parties stipulate that on	ly questions of law are involved and will the trial	court certify the questions? 💢 Yes 🔲 No
NOTE: If the appeal is from the district	or juvenile court and the answer to question "1" is	
response is required for question	n 3(a) or 3(b).	

Form ARAP- 26 (back)

8/91

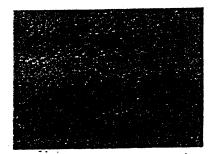
COURT OF CRIMINAL APPEALS DOCKETING STATEMENT

H. POST-JUDGMENT MOTIONS: List all post-judgment motions by date of filing, type, and date of disposition (whether by trial court order or by the provisions of Rules 20.3 and 24.4 (ARCrP)):

DA	TE OF FIL	ING	TYPE OF POST-JUDGMENT MOTION	DATE	OF DISPOSITION	
Manth	0ay	Year		Manth	Day	Yea
7	11	01	A-20 07/			
		 				
		1		j		
		 				

1. NATURE OF THE CASE: Without argument, briefly summarize the facts of the case.

See attached Letter



J. ISSUE(S) ON APPEAL: Briefly state the anticipated issues that will be presented on appeal. (Attach additional pages if necessary.)

sec attached letter

K. SIGNATURE:

September 26, 01

Signature of Attorney/ Party Filing this Form

				10000
State of Alabama	REPORTER'S TRANS	CRIPT ORDER CRIMINA	AL Crimina	Appeal Number
Unified Judicial System Form ARAP- 1C 8/91		O(c) and 11(b) of the pellate Procedure (A.R. App.P.)	1 CK	- <u>00-2143</u>
TO BE COMPLETED BY COUNSEL FO		GIVEN.	ND FILED WITH	H THE WRITTEN MOTICE OF
CIRCUIT COURT DISTRICT	COURT JUVENILE COURT	of <u>Kuse//</u>		COUNT
	Roy David A	teath		, Appellant
V. STATE OF ALABAMA	MUNICIPALITY OF			
Case Number	/	ate of Judgment/Sensence/Order		
57/ <i>CC</i> 200 6000 Date of Notice of Appeal	30.00/36	Indigent Status Granted:		
Oral:	Written: /////0/		☐ Yes	No No
ONLY IF THE APPEAL IS FRO IN THE CLERK'S RECORD AND STIPLII ATED THAT ONLY OL	ER'S TRANSCRIPT IS EXPECTED M DISTRICT COURT OR JUVENIL D THAT THE APPELLANT WAIVE DESTIONS OF LAW ARE INVOLV	AND THAT THE RECORD ON APPEA E COURT, I ALSO CERTIFY (1) THAT A S HIS RIGHT TO A JURY TRIAL IF SO E ED AND THAT THE QUESTIONS WILD 28(A)(1), ALABAMA RULES OF JUVEN	STIPULATION (INTITLED; OR (IL BE CERTIFIED	OF FACTS WILL BE INCLUDED 2) THAT THE PARTIES HAVE BY THE JUVENILE/DISTRICT
Signature	Dute	Print or Typ	e Name	
MARK PROCEEDINGS REQUESTED A. TRIAL PROCEEDINGS Althorous proceedings, a transcript of be designated separately B. ORGANIZATION OF THE JUNCHARLES FOR CAUSE Note recorded unless the trial junction to be recorded unless the trial in ADDITION TO ANY PROCEED PROCEEDINGS IN THE REPORTER'S ADDITIONAL PROCEED	the above referenced case (see D): Dugh this designation will include the organization of the jury at the organization will include that in noncapital cases the voge so directs. (See Rule 19.4, AR.) Note that in noncapital cases rial judge so directs. (See Rule 1.1	de the judgment and sentence and arguments of counsel must and sentence and arguments of counsel must arguments of counsel must arguments of the jury will not be arguments of counsel will argument arguments of counsel will argument argu	DE TO INCLUDITIONAL PAGES	DE THE FOLLOWING OF REPORTER(S) OF THE FOLLOWING OF REPORTER(S)
E				
MPORTANT NOTICE: The court repe effective. Additionally, it is importar the case that are not specifically desi not sufficient. (See Rule 10(c)(2), A.R.	it to note that the appellant magnated on this form for inclusion App P)	dings for which a transcript is reque ay not be permitted to raise any issu i in the reporter's transcript. A gene	ie on appeal rel	lating to any proceedings in
ARRANGEMENTS WITH EACH	RIBUTED THIS FORM AS SET OL - COURT REPORTER LISTED AB - THAT THE ABBELLANT PROCE	TER"S TRANSCRIPT: JEBELOW I ALSO CERFIFY (1) THA OVE FOR PREPARING HIS OR HER F EDED AT TRIAL AS AN INDIGENT A RMISSION TO PROCEED ON APPEAL	PORTION OF THAN	HE REPORTER'S TRANSCRIPT AT STATUS HAS NOT BEEN
Kry Den A	Dark Dute	3 9/9/01 Ro	y UAU	id Heath
Signature	Onte	, Fillit of Type		

DISTRIBUTION: Original filed with Clerk of Trial Court and copies mailed to. (1) Clerk of the Court of Criminal Appeals, (2) the District Attorney, (3) the Attorney General or the municipal prosecutor in lieu of the District Attorney and the Attorney General if the appeal is from a municipal conviction, and (4) to each Court Reporter who reported proceedings designated for inclusion in the reporter's transcript

Case 3:05-cv-00936-MEF-CSC Document 9-2

Filed 11/07/2005

Page 47 of 100

MOTION TO COURT OF CRIMINAL APPEALS FOR EXTENSION OF TIME TO FILE TRANSCRIPT	000042
TO: The Clerk of the Court of Criminal Appeals Fax: (334) 2 P. O. Box 301555 Montgomery, Alabama 36130-1555	242-4689
Criminal Appeals Case Number CR 00 - 2143 Roy David Heath v. State of Alabor Appellant's Name CR 00 - 2143 v. State of Alabor Appellee	ima.
Trial Court Case No. CCO1-30 Notice of Appeal Date 7110	
On appeal from the: Circuit Court of District Court of Juvenile Court of	·
hereby request a $\frac{28}{28}$ day extension to complete the transcript in said cause I have set out below. Currently this transcript is due on $\frac{10}{300}$, and we the transcript will be due on $\frac{10}{300}$. REASONS:	se for the reasons
	21101
FUSSE_L CI AI	ILED IN OFFICE OCT -2 RM 4: 24 OUT -1 RM 4: 24
Court Reporter 10/2/01 Date Court Reporter	

Rule 11(c) of the Alabama Rules of Appellate Procedure prohibits an appellate court from granting an extension if the request is not received by the clerk of the appellate court within the time originally prescribed or before the expiration of an extension previously granted. Based on internal policy of the Court of Criminal Appeals, no more than two 28-day extensions will be granted.

COURT OF CRIMINAL APPEALS
STATE OF ALABAMA
JUDICIAL BUILDING, 300 DEXTER AVENUE
P.O. BOX 301555
MONTGOMERY, AL 36130-1555

000043

H. W. "Bucky" McMILLAN

Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges

October 2nd, 2001

Lane W. Mann Clerk Wanda K. Ivey Assistant Clerk (334) 242-4590 FAX (334) 242-4689

RE: CR-00-2143

Roy David Heath v. State of Alabama (Appeal from Russell Circuit Court: CC01-30; CC01-36).

You are hereby notified that the following action was taken in the above cause by the Court of Criminal Appeals:

Additional time is granted to certify the completion of reporter's transcript to and including 10/31/2001.

Lane W. Mann, Clerk Court of Criminal Appeals

LWM/sm

cc: Honorable George R. Greene, Circuit Judge Honorable Kathy S. Coulter, Circuit Clerk Linda S. Wilson, Court Reporter Roy David Heath, Pro Se, Appellant THE STATE OF ALABAMA - - - JUDICIAL DEL. TMENT

000044

THE ALABAMA COURT OF CRIMINAL APPEALS

CR-00-2143

Roy David Heath, Appellant

VS.

State of Alabama, Appellee

Appeal from Russell Circuit Court No. CC01-36

ORDER

The appellant in the above referenced cause has filed a motion for appointment of counsel to represent him on his appeal of his convictions for two drug offenses. Included with the motion is a copy of the trial court's order denying the appellant's request to proceed on appeal in forma pauperis. On the order denying the appellant's request, the trial court noted that 1) time for appeal has lapsed and 2) the appellant has waived his right to appeal. With regard to the timeliness of this appeal, this Court notes that according to the information contained in the circuit clerk's transmittal of this appeal, the appellant timely filed his notice of appeal. However, this Court has nothing in the records before it to substantiate whether or not the appellant did in fact waive his right to appeal.

Upon consideration of the above, the Court of Criminal Appeals ORDERS that the trial court shall file evidence of the appellant's waiver of his right to appeal within 14 days from the date of this order. The evidence can be by way of a transcript of the colloquy with the defendant reflecting that he was informed of his right to appeal and that he chose to waive that right or by a copy of a signed plea agreement that indicates that the appellant waived his right to direct appeal. Finally, this Court ORDERS that in the event the appellant waived his right to appeal, the sufficiency of said waiver will not be considered on appeal unless that issue was preserved by way of a timely motion by the appellant to withdraw his guilty plea. See Watson v. State, [Ms. CR-00-0955, August 10, 2001] _ So.2d _ (Ala. Crim. App. 2001).

Done this 12th day of October, 2001.

H. W. "BUCKY" McMILLAN, PRESIDING JUDGE

cca/wki

cc: Circuit Judge George R. Greene
Ms. Kathy S. Coulter, Circuit Clerk
Ms. Linda S. Wilson, Court Reporter
Roy David Heath, Appellant
Kenneth Davis, Esq., District Attorney
Office of the Attorney General

In The Circuit Court Of

State Of Alabama

Petitioner

Vs.

State Of Alabama,

Respondents

Motion For Appointment Of Counsel:

The petitioner in the above styled action hereby moves this Honorable Court for an order entered directed that counsel be appointed to assist petitioner in this matter. This motion is supported by the following facts.

Facts In Support:

The petitioner is an inmate of the Alabama Department of Corrections with neither the means or money to retain counsel to assist him in this matter.

The petitioner is lack in legal knowledge and do not know how to proper prepare this matter for Court proceedings.

The issues involved in this matter are complex and require research and investigation that the petitioner is unable to do, because of being in prison.

As a matter of law petitioner is entitled to appointment of counsel to assist him in this matter.

The respondents will not be prejudice by the appointment of counsel in this matter.

Therefore For Good Cause:

Petitioner request that this Court appoint counsel to assist him in this matter.

Petitioner also request such other relief that this Court deems just in this matter.

Certificate Of Service:

I hereby certify that I have mailed a true and correct copy of the above to all parties by placing the same in the United States mail all postage paid.

Ostober 2000 RDH

		of Alabama d Judicial System	AFFIDAVIT	of SUBSTAN	ΓIAL	Case Number
For	m C-1	0 Rev 6/88	HARDS	HIP and ORDE	A	CC01-30,36
	PI IN	THE MATTER OF PROCEE CIVIL CASE—I, becal request that payment in the control of	DING: ause of substantial hards ent of these fees be waived as paternity, support, ter	COURT OF v. Defendant CHARGE: \$\frac{3}{2}A^{-1} thip, am unable to pay the of initially and taxed as costs mination of parental rights of hire an attorney and required.	docket fee and at the conclusion of the conclusi	d service fees in this case. usion of the case. an attorney be appointed
	7	<u> </u>		AFFIDAVIT		
I NI	Α.	Do you have a job or y		و د د د د د د د د د د د د د د د د د د د	-	YesNo
N C		Employer's name and	address		<u>-</u>	
0		How much money do	you take home each week	?		+ \$ AFH-0
M E	8.	If unemployed, give m	nonth and year of last unt earned per month	APRIAL 29 9	·	19 CO
/ E		employment and amo	um eamed per month	·		STR STERONIAL I
M	C.	Does your husband o	r wife have a job?	Λ. I. Λ		YesNo
Ή -b_		Employer's name and	address	/U2/H		
O		How much money do	es he/she take home each	week?		- + \$AV-A-
М	۵.	Do you receive money	y or benefits from any othe	er source?	•	YesNo
E				men's compensation, unem	ployment	
T		How much do you red	tamps, rent payments, inte	erest, dividends, etc.)		+ \$
	Δ	Co you have any mon	ney in any hank sayings ar	nd loan, credit union, or any	· other	
	۸.	place, including cash		ind loan, credit union, or any	Other	yes NA No
A S		Where?			How much?	
S	В.	Do you own anything	else of value? (Land, hou	se, boat, television, stereo, i	ieweiry, car,	12 ED. 1
E	-	truck, van, stocks, bor			, , ,	TE CYes Z VINO
S		What?		•		AHII:
					Total Value	e + \$
D	Δ	Arayou	Single Married	Widowed	Diversed	.
E P	Α.	•	Separated?	Widowed	Divorced	
Ε	в.	Do you have any depe	endents?		()	
N D		Who and what relation		Ht Huckaba	<u> 3 Re</u>	MECCA HUCKABA
E			Step cherin	ncls,		

-

	and the second s		• • • • • •
			50/01/80
	What does it cost you to live each month?	\$	- 20/3/ 00
	Creditor	Total Debt	Monthly Payment
D	Loans		<u>UA</u>
Ξ	Charge Accounts		NA
B	House or rent payments		NA
s	Alimony		NA
•	Support		1/A
	Car payment		NA.
	Groceries		NA
	Utilities		13
	other-	5000 / 7000	NA
			<u> </u>
			our Consumeration of
	In support of this request, I have answered the abo	ve questions relating to my a	bility to pay. I swear that
	these answers are true and reflect my present financ	ial status. I understand that a	faise statement or answer
	to any questions in this affidavit will subject me to per	naities for perjury.	Emakay
	I further understand and acknowledge that if the C	Court appoints an attorney to	represent me, the Court
	may require me to pay the fees and expenses of my ca	ourt-appointed-counsel.	
	Sworn to and subscribed before me this		T. L. UNGREEN
	Swom to and subscribed before the this		1/
	27 day of OCT 15 2ce	1 Ky Jany	16-auch
	amilia -	Afflant Signature	the Atill-Kon
₹-	the Notary	, , c, , , , , , , , , , , , , , , , ,	< # 2175 UV
			0001311
	OF	RDER	
		E FOREGOING REQUEST BE:	
	IT IS ORDERED THAT THE	E PUNEGUING REQUEST BE	•
	GRANTED .	DENIE)
			```.
	APPOINTMENT OF ATTORNEY:		, , ,
	IT IS THEREFORE, ORDERED AND ADJUDGED B	Y THE COURT THAT Chal	-les Floyd,
	11 15 THEREFORE, ORDERED AND ADJUDGED B	THE GOOM HIAT	(E) 1.
	JR	Attorney at Law, be and is h	ereby appointed as counsel
	It is further ordered that the Court reserves the right and	d may order reimbursement of a	ttorneys fees and expenses.
	approved by the Court and paid to the appointed couns	sel.	87 - 0
	DONE this day of .	October	_200/_
	1 1/2/181-11/10		
	-	B	

Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 11/07/2005 Page 54 of 100 ALABAMA JUDICIAL DATA CE 'ER

NOTICE OF AL EAL TO THE ALABAMA COURT OF CRIMINAL APPEALS OF SY THE TRIAL COURT CLERK

IN THE CIRCUIT COURT OF RUSSELL COUNTY ACR371 JUDGE: GEORGE R. GREENE STATE OF ALABAMA VS HEATH ROY DAVID APPEAL DATE: 07/11/2001 INDIGENCY STATUS:
GRANTED INDIGENCY STATUS AT TRIAL COURT:
APP. TRIAL COUNSEL PERMITTED TO W/D ON APPEAL:
INDIGENT STATUS REVOKED ON APPEAL:
INDIGENT STATUS GRANTED ON APPEAL: YES YES NO TES NO DEATH PENALTY: NO APPEAL TYPE: OTHER(SPECIFY) THIS APPEAL IS FROM AN ORDER DENYING A PETITION (I.E., RULE 32 PETITION, WRIT OF HABEAS CORPUS, ETC) OR FROM ANY OTHER ISSUED BY THE TRIAL JUDGE. CD/CASE NUMBER: 57/CC 2001 000030.00 _DENIED ORDER ENTERED (DATE): 04092001 PETITION: __DISMISSED _GRANTED THIS IS AN APPEAL FROM A CONVICTION. DATE OF CONVICTION: 04/09/2001 DATE OF SENTENCE: 05/31/2001 YOUTHFUL OFFENDER STATUS: DENIED CD/CASE NUMBER: 57/CC 2001 000030.00 CONVICTION: UNLAW DISTRIB CO ACTION: GUILTY PLEA CODE: UDCS STATUTE: 13A-012-211 CONF: 30 YRS 00 MOS 000 DAYS PROB: 00 YRS 00 MOS 000 DAYS SENTENCE: LIFE: NO LIFEWO: NO SENTENCE: POST-JUDGMENT MOTIONS FILED: DT FILED DT DENIED CON BY AGREE MOTION FOR NEW TRIAL

--- MOTION FOR JUDG. OF ACQUIT

--- MOTION TO W/D GUILTY PLEA

--- MOTION FOR ATTY TO W/DRAW OTHER WILSON, LINDA S. C/O HON. GEORGE R. GREENE PHENIX CITY , AL 36867 COURT REPORTER(S): ADDRESS: FLOYD CHARLES EDDIE III P. O. BOX 759 APPELLATE COUNSEL #1; ADDRESS: PHENIX CITY 205-297-3378 AL 36868 PHONE NUMBER: APPELLATE COUNSEL #2; ADDRESS: PHONE NUMBER: HEATH RDY DAVID C/D RUSSELL COUNTY JAIL PHENIX CITY , AL 368680000 APPELLANT (PRO SE); ADDRESS: AIS #: APPELLEE (IF CITY APPEAL):

ADDRESS:

PREPARED: 10/30/2001

CIRCUIT COURT CLERK

# MOTION TO COIRT OF CRIMINAL

	MOTION TO COURT APPEALS FOR EXTED TO FILE TRA	ASTOM OF THAME	,	
P. O. Box 30155 Montgomery, A  Criminal Appeals Cas  Ruy David Appellant's Name	e Number CR OO  Heath v.  COL-30 Notice of	- 2/43 State of Appellee Appeal Date 7/11/0	:: (334) 242- <u>Alabas</u> <u>I</u> County	4689
hereby request a 2 I have set out below. (	District Court of  Juvenile Court of  A WAAX  8- day extension to cor  Currently this transcript is du	, a court reporter in	the above re	for the reasons
REASONS:			RUS ELL TO. AL	FILED IN OFFICE 2001 OCT 3 (1 PN 5: 0)
Court Reporter	Ulson_	10 30 01 Date		nellale court from

Rule 11(c) of the Alabama Rules of Appellate Procedure prohibits an appellate court from granting an extension if the request is not received by the clerk of the appellate court within the time originally prescribed or before the expiration of an extension previously granted. Based on internal COURT OF CRIMINAL APPEALS
STATE OF ALABAMA

JUDICIAL BUILDING, 300 DEXTER AVENUE P.O. BOX 301555

MONTGOMERY, AL 36130-1555

H. W. "Bucky" McMILLAN
Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges

October 30th, 2001

Lane W. Mann Clerk Wanda K. Ivey Assistant Clerk (334) 242-4590 FAX (334) 242-4689

Page 56 of 100

RE: CR-00-2143

Roy David Heath v. State of Alabama (Appeal from Russell Circuit Court: CC01-30; CC01-36).

You are hereby notified that the following action was taken in the above cause by the Court of Criminal Appeals:

Additional time is granted to certify the completion of reporter's transcript to and including 11/28/2001.

Lane W. Mann, Clerk Court of Criminal Appeals

LWM/sm

cc: Honorable George R. Greene, Circuit Judge Honorable Kathy S. Coulter, Circuit Clerk Linda S. Wilson, Court Reporter Roy David Heath, Pro Se, Appellant

JU0052

TYPE:

ALABAMA JUDICIAL INFORMATION SYSTEM
CASE ACTION SUMMARY
CIRCUIT CRIMINAL CASE: CC 2001 000036.00 ACR0370 OPER: SHG RUN DATE: 11/30/2001 PAGE JUDGE: GRG IN THE CIRCUIT COURT OF RUSSELL

VS

STATE OF ALABAMA

CASE: CC 2001 000036.00

HEATH ROY DAVID 217344 9947 HWY 21 NO. ATMORE, AL 35503 0000

HR: BRO EYES: BRO SEX: M RACE: W HT: 5 06 WT: 195 DOB: 12/23/1960 SEX: SSN: 259271658 ALIAS NAMES:

CHARGEO1: UNLAW DISTRIB CONTRO CODEO1: UDCS LIT: UNLAW DISTRIB CHARGEO2: POSS MARIJUANA 1ST CODEO2: VAPF TYP: F #: 001 TYP: F #: 001

AGENCY/DFFICER: 0570000 SL00033 OFFENSE DATE: 05/02/2000

DATE WAR/CAP ISS: DATE INDICTED: 01/12/2001 DATE RELEASED: 06/20/2000

\$12,500.00 S BOND AMOUNT:

DATE ARRESTED: 05/04/2000 DATE FILED: 01/19/2001 DATE HEARING:

SURETIES: AAA BONDING CO.

TIME: 0903 A TIME: 0900 A DATE 1: 05/31/2001 DESC: SENT DATE 2: 04/16/2001 DESC: JTRL

TRACKING NDS: WR 2000 001362 00 / DC 2000 001117 00 / DC 2000 001118 00

TYPE: R

DEF/ATY: BRITTON JOHN M P O DRAWER 1188

PHENIX CITY AL 36867

00000

PROSECUTOR: LANDREAU BUSTER

:==========	======================================	173
OTH CSE: WR200 COURT REPORTER DEF STATUS: PR	SID ND: 00000000	R: JOS
TRANS DATE	ACTIONS, JUDGEMENTS, AND NOTES	OFE
	SET FOR: ARRAIGNMENT DN 02/20/2001 AT 0900A(AR01)	JOS
01/30/2001	DISTRICT ATTORNEY'S FEES (\$111.04)	Jos
02/01/2001	NOTICE SENT: 02/01/2001 HEATH ROY DAVID	Jos
02/01/2001	NOTICE SENT: 02/01/2001 AAA BONDING CO.	Jos
02/16/2001	ATTORNEY FOR DEFENDANT: BRITTON JOHN M (AR10)	Jos i
02/16/2001	WRITTEN PLEA OF NOT GUILTY AND WAIVER OF	Jos
02/16/2001	ARRAIGNMENT	Jos
02/20/2001	***ARRAIGNMENT ORDER***	Jos i
02/20/2001	THE HON. JOHN BRITTON RETAINED, DEFENDANT	Jos
02/20/2001	WAIVES READING OF INDICTMENT AND ENTERS A	Jos
02/20/2001	PLEA OF NOT GUILTY. CASE SET ON APRIL 16, 2001	20L
02/20/2001	TRIAL DOCKET.	Jos
02/20/2001	SET FOR: JURY TRIAL ON 04/16/2001 AT 0900A (AR10)	20L
03/02/2001	MOTION FOR DISCOVERY BY STATE	JOS
1 03/02/2001	NOTICE OF FRIOR CONVICTIONS FOR SENTENCE HEARING	JDS
03/02/2001	NOTICE OF INTENT TO ADMIT CERTIFICATE OF ANALYSIS	J05
03/02/2001	MOTION FOR CONSOLIDATION OF OFFENSES	20L 
	The state was not one and and the state and one and and the state and th	

ALABAMA JUDICIAL INFORMATION SYSTEM
CASE ACTION SUMMARY
CIRCUIT CRIMINAL CASE: CC 2001 000036.00 ACR0370

OPER: SHG RUN DATE: 11/30/2001 JUDGE: GRG

IN THE CIRCUIT COURT OF RUSSELL

HEATH ROY DAVID 217344 9947 HWY 21 NO. ATMORE, AL 36503 0000 ٧S STATE OF ALABAMA CASE: CC 2001 000036.00

	AIMURE, AL 38303 0000	
DOB: 12/23/198 SSN: 259271658		EYES: BRO
03/06/2001	ORDER ON MOTION FOR DISCOVERY BY STATE	Jos ļ
03/12/2001	WITNESS SUBPOENAS ISSUED	Jos
03/20/2001	ORDER SETTING HEARING ON MOTION TO CONSOLIDATE FOR	Jos
03/20/2001	APRIL 11, 2001, AT 4:00 F.M.	Jos į
04/09/2001	EXPLANATION OF RIGHTS AND PLEA OF GUILTY	Jos į
04/09/2001	***GUILTY FLEA***	Jos į
04/09/2001	ORDER OF PLEA OF GUILTY IN EACH COUNT, AS CHARGED	Jos
04/09/2001	IN THE INDICTMENT. DEFENDANT MAKES APPLICATION	Jos į
04/09/2001	FOR PROBATION, RULING SET FOR MAY 31, 2001, AT	Jos į
04/09/2001	9:30 A.M.	Jos i
05/02/2001	CONVICTION REPORT TO BOARD OF REGISTRARS	Jos i
05/27/2001	DRUG CONV REPORTED TO DPS ON 05272001 FOR UDCS	ADC
05/30/2001	SUBPOENA FEE PROVISION ORDERED BY THE COURT (AROS)	, 20L
05/31/2001	***SENTENCING ORDER***	Jos i
05/31/2001	ORDER SENTENCING DEFENDANT AS A HABITUAL OFFENDER	Jos
05/31/2001	TO 30 YEARS TO THE DEFT. OF CORRECTIONS,	JOS
05/31/2001	INCLUDING 5 YEARS ENHANCEMENT PURSUANT TO	Jos i
05/31/2001	13A-12-270 AND 5 YEARS ENHANCEMENT PURSUANT TO	Jos i
05/31/2001	13A-12-250 IN COUNT I, AND 30 YEARS TO RUN	j 20L 
05/31/2001	CONCURRENT TO COUNT I, AND CC-2001-30, IN COUNT	Jos į
05/31/2001	II, COSTS, \$100.00 VCF IN EACH COUNT, \$100.00	Jos j
05/31/2001	FORENSIC SERVICES TRUST FUND IN EACH COUNT,	JOS
05/31/2001	\$1,000.00 DEMAND REDUCTION ASSESSMENT ACCOUNT	Jos
05/31/2001	IN EACH COUNT, ATTORNEY'S FEES, DRIVER'S	JOS
05/31/2001	LICENSE SUSPENDED 6 MONTHS IN EACH COUNT,	JOS
05/31/2001	ATTORNEY'S FEES AND COMPLETION OF SUBSTANCE	Jos
05/31/2001	ABUSE PROGRAM. THE DEMAND REDUCTION ASSESSMENT	J05
05/31/2001	ACCOUNT WILL BE SUSPENDED UPON THE DEFENDANT'S	J05
05/31/2001	AGREEMENT TO ENROLL IN A REHABILIATION PROGRAM	J0S
05/31/2001	AND PAYMENT OF SAME. THE PAYMENT OF MONIES	J0S
05/31/2001	SHALL BE A CONDITION OF PAROLE, EARLY RELEASE,	J05
05/31/2001	SIR OR WORK RELEASE.	J05
1		

ACRO370 ALABAMA JUDICIAL INFORMATION SYSTEM CASE; CC 2001 000035.00 DPER: SHG CASE ACTION SUMMARY CIRCUIT CRIMINAL RUN DATE; 11/30/2001 ACRB370 DPER: SHG PAGE: 3

IN THE CIRCUIT COURT OF RUSSELL JUDGE: GRG

HEATH ROY DAVID 217344 9947 HWY 21 NO. ATMORE, AL 36503 0000 VS STATE OF ALABAMA CASE: CC 2001 000036.00

DOB: 12/23/196 SSN: 259271658		EYES; BRO
06/06/2001	TRANSCRIPT OF RECORD ISSUED: 06/06/2001 (AROS)	Jos
06/06/2001	CASE ACTION SUMMARY PRINTED (AROS)	Jos i
06/07/2001	TRANSCRIPT OF RECORD ISSUED: 06/07/2001 (ARO8)	Jos į
07/11/2001	MOTION FOR APPEAL HEARING	SHG
07/11/2001	CASE APPEALED ON: 07/10/2001 (AR10)	Jos
07/11/2001	APPEAL "TO" TYPE: "O" (AR10)	Jos
07/11/2001	NOTICE OF APPEAL	Jos
07/11/2001	NOTICE OF APPEAL TO THE COURT OF CRIMINAL APPEALS	Jos
07/11/2001	BY TRIAL CLERK	Jos j
08/09/2001	ORDER DENYING MOTION TO APPEAL HEARING	shg i
10/01/2001	DOCKETING STATEMENT - SIGNED BY TERESA HEATH, WIFE	SHG
10/01/2001	REPORTER'S TRANSCRIPT ORDER - SIGNED BY DEF	SHG
10/01/2001	COPY OF MOTION FOR APPOINTMENT OF COURT APPOINTED	SHG
10/01/2001	ATTORNEY AND MOTION FOR ENLARGEMENT OF TIME.	SHG
10/01/2001	FILED WITH TYPED SIGNATURE, DEF'S WIFE TO FILE	shg i
10/01/2001	ORIGINAL WITH COURT OF CRIMINAL APPEALS.	SHG
10/12/2001	ORDER FROM COURT OF CRIMINAL APPEALS GIVING TRIAL	SHG
10/12/2001	COURT 14 DAYS TO PROVIDE EVIDENCE THAT DEF	SHG
10/12/2001	WAIVED HIS RIGHT TO APPEAL.	SHG
10/16/2001	CLERKS NOTE: FAXED PLEA AGREEMENTS TO COURT OF	SHG
10/16/2001	CRIMINAL APPEALS, WANDA IVEY SAYS SHE CANNOT	SHG
10/16/2001	FIND WHERE IT SAYS HE WAIVED HIS RIGHT TO AN	SHG
10/16/2001	APPEAL.	SHG
10/17/2001	FILE TO GRG TO PROMPT COLLOQUY	SHG
10/19/2001	ORDER REMANDING CASE TO TRIAL COURT TO APPOINT	SHG
10/19/2001	COUNSEL OR ENTER WRITTEN FINDINGS AS TO WHY NOT.	SHG
10/25/2001	REQUEST FOR COPIES	Jos
10/30/2001	I IRA TYPE CHANGED FROM: N (AR11)	SHG
10/30/2001	ATTY 1 CHANGED FROM: BRIO16 (AR11)	SHG
10/30/2001	ATTY 1 TYPE CHANGED FROM: R (AR11)	SHG
10/31/2001	ORDER FOR CLERK TO SEND THE DEFENDANT A COPY OF	JDS
10/31/2001	THE CASE ACTION SUMMARY	20L 

ACR0370

CASE: CC 2001 000035.00

000055

ALABAMA JUDICIAL INFORMATION SYSTEM CASE ACTION SUMMARY CIRCUIT CRIMINAL OPER: SHG PAGE RUN DATE: 11/30/2001 IN THE CIRCUIT COURT OF RUSSELL JUDGE: GRG VS OF ALABAMA HEATH ROY DAVID STATE CASE: CC 2001 000036.00 DOB: 12/23/1960 SSN: 259271658 RACE: W HT: 5 06 WT; 195 HR: BRO EYES: BRO ALIAS NAMES: ADDR1 CHANGED FROM: 3 TRAPPER DRIVE 11/01/2001 (AR01) JDS 11/01/2001 STATUS CHANGED TO: "F" - PRISON (AR01) JOS HOME CITY CHANGED FROM: PHENIX CITY (AR01) 11/01/2001 JOS CASE ACTION SUMMARY PRINTED (AROS) JOS 11/01/2001 SHG 11/30/2001 CERTIFICATE OF COMPLETION AND TRANSMITTAL OF SHG RECORD ON APPEAL BY THE TRIAL COURT CLERK 11/30/2001 11/30/2001 CASE ACTION SUMMARY PRINTED (AROS) SHG (AROS) SHG 11/30/2001 CASE ACTION SUMMARY PRINTED

# Case 3:05-cv-00936 AVIEF ANS CUNDROPINEAR PREST REPORT/07/2005 TRAGE 61 OF N

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

			1												_	14
İ	0.5.70	0000	2 AGENCY N	etra"	Nacc	155	Task	101	ce			3 CASI	Lo	0 6	3115	57 4 3 5%
1	S LAST, FIRST, MID		1	1/					€ AL	LIAS AKA				,		
•	HORT	4 . RO4	/ Da	Uld												
	SEX S RACE	HOT.	10 WGT.	11 EYE	12 HAIR	1	/ 14	ITI SCARS		ZI MARWS		PSIT	ATOOS		(4) AMPUTAT	rions
z	(Z) F (Z) B (	56"	195	Bro		o Mea	Fica	cm "7	Theatre !							
2	15 PLACE OF BIRTI	H (CITY, COUNTY, S	STATE)		16 55	5191-	17171-	1/1/	1518	17 DATE	127			39	19 MISCELLANE	GUS ID #
5	- Colum	bus, G	MGERPRINT C	LASS KEY	MAJOR		SCDV	SUB-SEC	YRADHO	FINAL	121	ام اد	2 0.		L	23 ST
=	20 SID #	/	NGENTHINI C	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1 1			1		1 1	<del></del>			1/2	• A	-
DENTIFICATION	24 FBI #		HENRY CLAS	ss				-		++	++		25 10 5	MITIFICA	TION COMMENTS	B
<u> </u>			NCIC CLASS	, LL							$\perp \perp$	لــــــــــــــــــــــــــــــــــــــ				
	26 T RESIDENT	27 H	OME ADDRES	S (STREET, CI	ITY, STATE, Z	P)	4.4		28 RESIDENC			•/	29 OCC	UPATIO	ON (BE SPECIFIC)	
	MON-RESIG	DENT 3	Traf	oper L	Prive ,	Phenix	City to	46	(334)	448	2-/2	42	<u> </u>	NI	4	
	30 EMPLOYER (NA	ME OF COMPANY	SCHOOL)	7		31 BUSINESS	ADDRESS (STR	EET, CITY,	STATE, ZIP)					32/ BL	ISINESS PHONE	
	(11en	ployed				$\mathcal{V}$	4		laa .						·N/H	
	33 LOCATION OF	RREST (STREET, C	,		c/4.	111	SECTOR #		AAAA	STED FOR	N YOUR .	URISDICT	TONT	YES	□ NO/	•
	36 CONDITION OF		J SOBER	10/K	RESIST MARE	ST7 34 INJURIE	37 (I) NONE		39 AR	<u> </u>		RIPTION				
	ARRESTEE:	2 DRINKING			YES ON N		_		. 01 Y	/ [ <u>2]</u> N	Ωн	ANDGUN		<b>4</b> 0	THER FIREARM	
	41 DATE OF ARRES		IME OF ARRE	ST	43 DAY O	F ARREST	S CALL	RAEST	45 ARRESTED			FLE		<b>5</b>	THER WEAPON	
	015109	41010 2	/:00 B	1. AM A MI 2. PM			S CALL		3 UNKNO	_	<u> </u>	HOTGUN				
	46 CHARGE-1	FEL Z MIS	iD 4	, 11		7 UCR CODE	60	48 CHAR	IGE-2	FEL /	MISO	, ,	•/		40 UCR COD	
	Vista	kuton		10 rijua		DATE ISSUE	<del>V</del>	13	15+176	41701	04	11/0	rju	210	35 SS DATE ISS	6 U
Σ	SO STATE CODEL	OCAL ORDINANCE	51 WARR	13/9		M , (	, Y	173	A - 17 - 2	7//		AARARI	• •		M	o i Y
ARREST	54 CHARGE-3	77//	1 00	, (0)	′	57 UCR CODE		54 CHAR	7 7 5	FEL [Z	MISO				59 UCR COD	E
¥	Parco	55/on of		Juana-	First	::::3.S	62	:	_		-				- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	
	M STATE CODEL	OCAL ORDINANCE		RANT #	• • • •	12 DATE ISSUE		STATE	E CODE/LOCAL	L ORDINA	NCE 64 W	THARRAN	•		SS DATE ISS	UED
	13A-1	z <i>-Z/3</i>				M		<u> </u>							MI	<u> </u>
	54 ARREST DISPO		6	7 IF OUT ON R		SA ARI	RESTED WITH (	1) ACCOMP	PLICE (FULL N	(AME)						
	T HELD  [2] BAIL	TOT-LE	1	WHAT TYPE?												
	(Z) BAIL	5 OTHER	1		•	69.40	FOTER WITH	* ACCOM	MICE OF ILL	1445						
	[2] BAIL [3] RELEASED	5 OTHER				69 AR	RESTED WITH (	2) ACCOMP	PLICE (FULL N	IAME)						
	T RELEASED		72 VMO	73 VST		69 ARI	RESTED WITH (	2) ACCOMP	PLICE (FULL N	75 TA	Q.			7	s Lis	т цү
	T RELEASED	(5) OTHER	72 VMO	73 VST				2) ACCOMP	PLICE (FULL N		a,			7	g ris	77 ЦҮ
ICLE	T RELEASED		72 VMO	73 VST		74 VCO TOP		779	IMPOUNDED?	75 TA		OCATION	/IMPOU		2 FIZ	77 ЦҮ
/EHICLE	70 YYR	71 VMA		73 VS1		74 VCO TOP		779		75 TA		.OCATION	/IMPOUI		\$ LIS	л цү
VEHICLE	70 YYR			73 V31		74 VCO TOP		779	IMPOUNDED?	75 TA		OCATION	/IMPQUI			
VEHICLE	70 YYR 78 YIN 81 OTHER EVIDEN	71 YMA	ERTY SEIZED		T	74 VCO TOP BOTTO		73 ;	IMPOUNDED?	75 TA		OCATION			☐ CONTIN	JED IN NARRATIVI
	70 YYR	71 VMA	ERTY SEIZED	(3) REF. TO		74 VCO TOP BOTTO	ЭМ 	73 ;	IMPOUNDED?	75 TA		OCATION		AD#	☐ CONTINU	
<u>—</u>	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:	71 YMA  ACE SEIZED/PROPE	D RELEASED NILE COURT	(3) REF. TO	T D WELFARE A	74 VCO TOP BOTTO	EF. TO ADULT	COURT	IMPOUNDED?	75 TA		OCATION		EASED	☐ CONTINI	
<u></u>	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:	71 YMA  GE SEIZED/PROPE  THANDLED AND REF. TO JUVE	D RELEASED NILE COURT	(3) REF. TO	T D WELFARE A	74 VCO TOP BOTTO	EF. TO ADULT	COURT	MPOUNDED?	75 TA		OCATION		EASED	CONTINU TO HONE	
	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:	71 YMA  MCE SEIZED/PROPE  THANOLED AND REF. TO JUVE  UARDIAN (LAST, FIL	D RELEASED NILE COURT	(3) REF. TO	D WELFARE A	74 VCO TOP BOTTO	EF. TO ADULT	COURT	MPOUNDED? ]YES []NO	75 TA		OCATION		EASED	☐ CONTINI	
<u> </u>	70 YYR 78 YIN 81 OTHER EVIDEN 42 JUVENILE DISPOSITION: 44 PARENT OR GI	71 YMA  ICE SEIZED/PROPE  THANOLED AND THE REF. TO JUVE  UARDIAN (LAST, FIL	D RELEASED NILE COURT	IN REF. TO	D WELFARE A	74 VCO TOP BOTTO BENCY S R	EF. TO ADULT	COURT	IMPOUNDED?  YES INO  CITY, STATE	75 TA	ORAGE L	OCATION		#A3ED   86 p. ( 90 p.	CONTINUTO HONE )	
<u> </u>	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  44 PARENT OR GI	71 YMA  ICE SEIZED/PROPE  THANOLED AND THE REF. TO JUVE  UARDIAN (LAST, FIL	D RELEASED NILE COURT	T REF. TO REF. TO REF. TO NAME)	D WELFARE A	74 VCO TOP BOTTO	EF. TO ADULT	COURT	MPOUNDED?	75 TA	ORAGE L	GCATION		#A3ED   86 p. ( 90 p.	CONTINUTO HONE )	
<u></u>	70 YYR 78 YIN 81 OTHER EVIDEN 42 JUVENILE DISPOSITION: 44 PARENT OR GI 67 PARENTS EMP 91 DATE AND TIM M D	TI VMA  ICE SEIZED/PROPE  II HANOLED ANI IZI REF. TO JUVEI  UARDIAN (LAST, FIII  LOYER  IE OF RELEASE	D RELEASED NILE COURT	T REF. TO REF. TO REF. TO NAME)	D WELFARE A	GENCY S RICE AGENCY	EF. TO ADULT	COURT	IMPOUNDED?  YES INO  CITY, STATE	75 TAI	ORAGE L			#A3ED   86 p. ( 90 p.	CONTINUTO  HONE )	
<u>—</u>	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  87 PARENTS EMP	TI VMA  ICE SEIZED/PROPE  II HANOLED ANI IZI REF. TO JUVEI  UARDIAN (LAST, FIII  LOYER  IE OF RELEASE	D RELEASED NILE COURT	T REF. TO REF. TO REF. TO NAME)	OWELFARE A	GENCY S RICE AGENCY	EF. TO ADULT	COURT	IMPOUNDED?  YES INO  CITY, STATE	75 TAI	ORAGE L	IAESS	SJ REL	EASED   86 p	CONTINUTO HONE ) HONE ) 44 ID 8	
<u>—</u>	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  44 PARENT OR GI  87 PARENTS EMP  91 DATE AND TIN  M D S RELEASED TO  94 PERSONAL PR	71 YMA  ACE SEIZED/PROPE  THANOLED AND THANO	ERTY SEIZED  D RELEASED  NILE COURT  RST, MIDDLE  : 17 AM  D TO ARREST	I REF. TO  A REF. TO  NAME)  SOCUPATION	D WELFARE A-D OTHER POL	GENCY S RICE AGENCY	EF. TO ADULT	COURT	IMPOUNDED?  YES INO  CITY, STATE	75 TAI	ORAGE L	IAESS		EASED   86 p	CONTINUTO HONE ) HONE ) 44 ID 8	
<u>—</u>	78 VIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  67 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR	71 VMA  ICE SEIZED/PROPE  THANDLED ANI ZI REF. TO JUVEI  LOYER  LOYER  E OF RELEASE  Y  ICOPERTY RELEASE  NO DE PARTIA	ERTY SEIZED  D RELEASED  NILE COURT  RST, MIDDLE  : 17 AM  D TO ARREST	I REF. TO  A REF. TO  NAME)  SOCUPATION	D WELFARE A-D OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT	COURT	IMPOUNDED?  YES INO  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINUTO HONE ) HONE ) 44 ID 8	
JUVENILE	78 VIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  67 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR	71 YMA  ACE SEIZED/PROPE  THANOLED AND THANO	D TO ARREST	ST REF. TO  REF. TO  REF. TO  NAME)  MOCCUPATION  ST MIL.	OWELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT	COURT	IMPOUNDED?  YES INO  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINUTO HONE ) HONE ) 44 ID 8	
JUVENILE	78 VIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  67 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR	71 VMA  ICE SEIZED/PROPE  THANDLED ANT REF. TO JUVE  LOYER  RE OF RELEASE  Y  COPERTY RELEASE  NO DE PARTIAL	D TO ARREST	I REF. TO  A REF. TO  NAME)  SOCUPATION	OWELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT  ES ADORES  ES ADORES  ED/HELD AT:	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINUTO HONE ) HONE ) 44 ID 8	
<u>—</u>	78 VIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  67 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR	71 VMA  ICE SEIZED/PROPE  THANDLED ANT REF. TO JUVE  LOYER  RE OF RELEASE  Y  COPERTY RELEASE  NO DE PARTIAL	ERTY SEIZED  D RELEASED  NILE COURT  RST, MIDDLE  : 1 ARREST	REF. TO  REF. TO  REF. TO  MAME)  REF. TO  MAME  ASE NO	OWELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT  ES ADORES  ES ADORES  ED/HELD AT:	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINUTO  HONE  )  HONE  )  M 10 9	JED IN NARRATIVI
JUVENILE	78 VIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  67 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR	71 VMA  ICE SEIZED/PROPE  THANDLED ANT REF. TO JUVE  LOYER  RE OF RELEASE  Y  COPERTY RELEASE  NO DE PARTIAL	ERTY SEIZED  D RELEASED  NILE COURT  RST, MIDDLE  : 1 ARREST	ST REF. TO  REF. TO  REF. TO  NAME)  MOCCUPATION  ST MIL.	ON WELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT  ES ADORES  ES ADORES  ED/HELD AT:	COURT	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINUTO HONE ) HONE ) 44 ID 8	JED IN NARRATIVI
JUVENILE	73 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  87 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR  11 YES [2]  101 REMARKS (N	TI VMA  ICE SEIZED/PROPE  THANDLED ANI ZI REF. TO JUVE  UARDIAN (LAST, FII  LOYER  IE OF RELEASE  Y  IOPERTY RELEASE  NO IP PARTIAL  OTE ANY INJURIE	CA	REF. TO	OWELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT  ES ADORES  ES ADORES  ED/HELD AT:	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINUTO  HONE  )  HONE  )  M 10 9	JED IN NARRATIVI
JUVENILE	73 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  87 PARENTS EMP  91 DATE AND TIM  M D  95 RELEASED TO  96 PERSONAL PR  11 YES [2]  101 REMARKS (N	71 VMA  ICE SEIZED/PROPE  THANDLED ANT REF. TO JUVE  LOYER  RE OF RELEASE  Y  COPERTY RELEASE  NO DE PARTIAL	CA	REF. TO  REF. TO  REF. TO  MAME)  REF. TO  MAME  ASE NO	OWELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT  ES ADORES  ES ADORES  ED/HELD AT:	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINU TO HONE ) HONE ) LOCAL USE	JED IN NARRATIVI
JUVENILE	70 YYR 78 YIN 81 OTHER EVIDEN 82 JUYENILE DISPOSITION: 84 PARENT OR GI 87 PARENTS EMP 91 DATE AND TIM M D 95 RELEASED TO 94 PERSONAL PR 11 YES 21 101 REMARKS (N	TI VMA  ICE SEIZED/PROPE  THANDLED ANI ZI REF. TO JUVE  UARDIAN (LAST, FII  LOYER  IE OF RELEASE  Y  IOPERTY RELEASE  NO IP PARTIAL  OTE ANY INJURIE	CA	REF. TO   OWELFARE AND OTHER POL	GENCY S RICE AGENCY  OFFICER NAM  TOPINISION  TYNOT RELEASE  POSS	EF. TO ADULT  ES ADORES  E SED/HELD AT:  ON (11)	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	IRESS	SJ REL	EASED   86 p	CONTINU TO HONE ) HONE ) LOCAL USE	JED IN NARRATIVI	
I RELEASE JUVENILE	70 YYR 78 YIN 81 OTHER EVIDEN 82 JUYENILE DISPOSITION: 84 PARENT OR GI 87 PARENTS EMP 91 DATE AND TIM M D 95 RELEASED TO 94 PERSONAL PR 11 YES 21 101 REMARKS (N	TI YMA  ACE SEIZED/PROPE  THANDLED AND REF. TO JUVE  UARDIAN (LAST, FIL  LOYER  RE OF RELEASE  OPERTY RELEASE  OTE ANY INJURIE  OF RECEIVING OF	CA	REF. TO   OWELFARE AND OTHER POL	74 VCO TOP BOTTO BENCY S R ICE AGENCY	EF. TO ADULT  ES ADORES  E SED/HELD AT:  ON (11)	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	JAESS .	53 REL	EASED   86 p) ( (	CONTINU TO HONE ) HONE ) STATE USE	JED IN NARRATIVI	
P RELEASE JUVENILE	70 YYR 78 YIN 81 OTHER EVIDEN 82 JUVENILE DISPOSITION: 84 PARENT OR GI 87 PARENTS EMP 91 DATE AND TIM M D 95 RELEASED TO 98 PERSONAL PR 11 YES [2] 101 REMARKS (N	TI VMA  ACE SEIZED/PROPE  THANDLED AND REF. TO JUVE  LOYER  TO PRELEASE  TO PRELEASE  TO PARTIAL  OTE ANY INJURIE  OF RECEIVING OF  CASE *	ERTY SEIZED  DI RELEASED  NILE COURT  RST, MIDDLE  : 1 ARREST  C.A.  C.A.  C.A.  D.A.  P.D.  P.D	ASE NO HARGE	OWELFARE AND OTHER POLICION  ON PROPER  OF AGENCY  I LED:  I NARY	GENCY S RICE AGENCY  OFFICER NAM  TOPINISION  TYNOT RELEASE  POSS	EF. TO ADULT  ES ADORES  E SED/HELD AT:  ON (11)	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	JAESS .	100 PRO	## FASED   85 p) (   90 p) (	CONTINU TO HONE ) HONE ) STATE USE	JED IN NARRATIVI
P RELEASE JUVENILE	70 YYR  78 YIN  81 OTHER EVIDEN  42 JUVENILE DISPOSITION:  64 PARENT OR GI  87 PARENTS EMP  91 DATE AND TIM  M D  195 RELEASED TO  94 PERSONAL PR  1192 SIGNATURE  1192 SIGNATURE  1192 SIGNATURE  1194 SEED	TI YMA  ACE SEIZED/PROPE  THANDLED AND REF. TO JUVE  UARDIAN (LAST, FIL  LOYER  RE OF RELEASE  OPERTY RELEASE  OTE ANY INJURIE  OF RECEIVING OF	ERTY SEIZED  DI RELEASED  NILE COURT  RST, MIDDLE  : 1 ARREST  C.A.  C.A.  C.A.  D.A.  P.D.  P.D	REF. TO   OWELFARE AND OTHER POLICION  ON PROPER  OF AGENCY  I LED:  I NARY	GENCY S RICE AGENCY  OFFICER NAM  TOPINISION  TYNOT RELEASE  POSS	EF. TO ADULT  ES ADORES  E SED/HELD AT:  ON (11)	COURT  S (STREET,	MPOUNDED?  YES ZNO  CITY, STATE  CITY, STATE	75 TAI	ORAGE L	RESS	100 PRO	EASED   86 p) ( (	CONTINU TO HONE } HONE } LOCAL USS  STATE USS  109 SFX 116 WAT	JED IN NARRATIVI	

-Ca<del>se 3:05-cv-00930-MEF-CSC — Document 9-2__ Filed 1/</del>1/07<del>/2005__ Page 62 of 100 —</del>

# CCNSOLIDATED BOND

000057

(District Court, Grand Jury, Circuit Court)

☐ STATE OF ALABAMA		DC-00-1118				
		Case Nu STATE OF A				
Dona Hanti	In the DIS			Court of		
DEFENDANT		RUSSEL	L	County		
I, (Defendant) Rry Har	<u>li</u>		as pri	ncipal, and		
we, A.A.A. BONDING CO.		e.s	sureties,agree	to pay the		
State of Alabama \$ 2500	unless the above nan	ned defendant a	ppears before t	he District		
Court of said County on (Date)	or in the event of transfer, in t	Time)	cuit court of th until discharge	or at the county of d by law to		
we hereby severally certify that we have probond. We waive the benefit of all laws exempt collection of debt, by the Constitution and La exempt our wages or salary, that we have under it is agreed and understood that this is a time as the undersigned are duly exonerated.	ting property from levy and sal lws of the State of Alabama, ar der the laws of Alabama. continuing bond which shall	e under execution ad we especially	on or other pro waive our righ	of the above cess for the ats to claim		
1 0 0 7/ 1/	3 THE APERY	2 Phoner	Cot. Al =	36867		
Bignature of Defendant	Address (Print)		State	Zip		
Star Temprete	1319 HWY. 77					
Signature of Surety	Address (Print)	City	State	Zip		
Signature of Surety	Address (Print)	City	State	Zip		
Signature of Surety	Address (Print)	City	State	Zip		
Date	Approved by	50-	e	(10		
	Title	)(7/	6	. 70		
Deres	ID A BITIC INICODA A					
	IDANT'S INFORMAT		. // }			
Date of Birth 12-23-100 Social	Security Number 259-	11-1658	Sex <u> </u>			
Driver's License Number	State	Race	W			
Telephone - Residence	Telephone – Wo	ork				
Appearance Bond - Property	Па	ppearance Bond	– Recognizano	-ρ		
Bail Bond		ash Borld	110006/1100/11	<del></del>		

KNOW ALL BY THESE PRESENTS. THAT THE AAA BONDING CO., A COMPANY DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF ALABAMA HAS CONSTITUTED AND APPOINTED, AND DOES HEREBY CON-STITUTE AND APPOINT,

000058

ITS TRUE AND LAWFUL ATTORNEY-IN-FACT, WITH, FULL POWER AND AUTHORITY TO SIGN THE COMPANY'S NAME AND DELIVER ON ITS BEHALF AS SURETY, ANY AND ALL OBLIGATIONS AS HEREIN PROVIDED, AND THE EXECUTION OF SUCH OBLIGATIONS IN PURSUANCE OF THESE PRESENTS SHALL BE AS BINDING UPON THE COMPANY AS FULLY AND TO ALL INTENTS AND PURPOSES AS IF DONE BY THE REGULARLY ELECTED OFFICERS OF THE SAID COMPANY AT ITS HOME OFFICE IN THEIR PROPER PERSON; AND THE SAID COMPANY HEREBY RATIFIES AND CONFIRMS ALL AND WHATSOEVER ITS SAID ATTORNEY-IN-FACT MAY LAWFULLY DO AND PER-FORM IN THE PREMISES BY VIRTUE OF THESE PRESENTS.

THIS POWER OF ATTORNEY IS VOID IF ALTERED OR ERASED. THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF TWO HUNDRED & FIFTY THOUSAND (\$250,000,000) DOLLARS AND MAY BE EXECUTED FOR RECOGNIZANCE OF BAIL BONDS ONLY, BUT INCLUDING PEACE BOND.

BOHOING BOND AMOUNT HABAH DATE TO APPEAR IN COURT (SEAL) DEFENDANT ADDRES GENERAL MGR. DATE 1

SEPARATE POWER-OF-ATTORNEY MUST BE ATTACHED TO EACH BOND AND REMAIN A PERMANENT PART OF THE COURT'S RECORD IN ORDER FOR AAA BONDING CO., TO BE LIABLE. THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OF WAGE LAW CLAIMS. PINK-Remains in Book

WHITE-RECEIPT-Client **BOTTOM-Jail** 

YELLOW-Office

# Case 3:05-cv-00936 MEF-CASCUN PROHIMENTAREST FEIPO \$1/07/2005 T Page 64 of 100

	OS 70000 Met	La Marcatiss	Task For	ce	S. CASE	2000	3.157
1	S LAST, FIRST, MIDDLE NAME	!!		4 ALIAS AI	KA	,	
	Heath Roy Vaul	11 EYE 12 HAIR 13 SKIN	. [14				
١	SEX   RACE   HAT.   10 WAT.   10 WAT	Bro Bro Med	/ 1	heatre of	Dain STAT		@ AMPUTATIONS
t	15 PLACE OF BIRTH (CITY, COUNTY, STATE)	18 SSN 715191-	17171-1/16	~ ~ <del>                                   </del>	TE OF BIRTH Z   Z   3   6   C	7 00 1	IISCELLANEOUS IO #
-	20 SID # / 21 FINGERPRINT CLASS		Y SCDY SUB-SEC	19 14 1/		2 DL 9	23 57
	HENRY CLASS					101C	COMMENTS
ļ	24 FBI # NGIC CLASS						
ŀ	25 T RESIDENT 27 HOME ADDRESS (ST	$\Lambda$ . $\Lambda I$ .	0.1	28 RESIDENCE PHO (334) 444	18-1242 2	OCCUPATION (B	E SPECIFIC)
-	I NON-RESIDENT 3 Trappe 30 EMPLOYER (NAME OF COMPANY/SCHOOL)	OF CIVE MALAIX	S ADDRESS (STREET, CITY,		18-1272	32 BUSINE	SS PHONE
	Memplowed	N	1/2			(	'N/H
$\exists$	33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	· 1. C/b. (A)	4 SECTOR #	35 ARRESTED TO STATE 21 OUT STATE	FOR YOUR JURISDICTION	YES 🗆	NO/
	36 CONDITION OF TO DRUNK SOBER	37 RESIST MARESTY 38 INJURI	ES7 T NONE	39 ARMED?	40 DESCRIPTION O		
	ARRESTEE: Z DRINKING A DRUGS	T YES ON D OFFIC		45 ARRESTED BEFOR		(4) (E) (E) (E) (E) (E) (E) (E) (E) (E) (E	i i
	41 DATE OF ARREST 42 TIME OF ARREST	M A MIL S M T W F 6	44 TYPE ARREST	UNKNOWN			
	44 CHARGE-1 DE FEL Z MISO	" UCR CODE	48 CHAR		[Z] MISD	•/	3560
	50 STATE CODE/LOCAL ORDINANCE 51 WARRANT	Clicana 52 DATE ISSUE	60 D	CODELOCAL ORDI	ON OF IVOI	Juan	SS DATE ISSUED
2	13A-12-211 00	13/9	P   Y /3.	A-12-211			M   P   Y
	54 CHARGE-3 [] FEL [] MISO	ST UCR CODE	Char	RGE→ [] FEL	MISO		55 UCR CODE
	POSSESSION OF MORING	62 DATE ISSUE		E CODE/LOCAL ORDI	HANCE 54 WARRANT		45 DATE ISSUED
	13A-/2-Z/3		RRESTED WITH (1) ACCOM	MICE (FULL NAME)	<u> </u>		
	THELD TOT-LE WH	OUT ON RELEASE	Anestes with (1) notion.				
	Z BAIL S OTHER S RELEASED	69 AJ	RRESTED WITH (2) ACCOM	PLICE (FULL NAME)			
	70 YYR 71 YMA 72 YMO	73 YST 74 YCO TOP		75	TAQ #	76 LIS	т цү
ri		вот	TOM 179	IMPOUNDED? 80	STORAGE LOCATION/	MPOUND #	
EMICLE	78 VIN		1	YES ZINO			
Y.	81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED						CONTINUED IN NARRATIVE
	22 JUVENILE THANOLED AND RELEASED	REF. TO WELFARE AGENCY	REF. TO ADULT COURT			83 RELEASED TO	CONTINUED IN INCIDENT
ш	DISPOSITION: THE REF. TO JUVENILE COURT	REF. TO OTHER POLICE AGENCY				86 PHON	
JUVENILE	84 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAM	(E)	85 ADDRESS (STREET	, CITY, STATE, ZIP)		(	`` `
⋛	87 PARENTS EMPLOYER 88 0	CCUPATION	89 ADDRESS (STREET	r, CITY, STATE, ZIP)		90 PHON	E )
	91 DATE AND TIME OF RELEASE	92 RELEASING OFFICER NA	<u> </u>	93 AGENCY/DR	VISION		M 10 #
	M D Y : [2] PM	MIL .		100			
	95 RELEASED TO:	94 AGENCY/DIVISION		"	AGENCY ADDRESS		
	94 PERSONAL PROPERTY RELEASED TO ARRESTEE	99 PROPERTY NOT RELE	ASED/HELD AT:	\\\	10	00 PROPERTY	
	TYES Z NO T PARTIAL	FASE		eliu in de la lage des			
RELEASE		10 m	711.000	7			
RELI		CASE NO:	<u> </u>		ejs voj voj voj voj voj voj		
		CHARGE:	ale Ma	yuma			LOCAL USE
	100						STATE USE
	Y Chrocal	DATE FILED:					100 SFX 110 ADDITIONAL
- ب	LE 104 CASE	PRELIMINARY H	EARING:			<del></del> , , ,	MARRATTYE
	ARRESTING OFFICER (LAST, FIRST, M.)		*	en e		)R	116 WATCH CMDRL
	Franklin Tom	SUBPOENAS:				10 #	ACJIC-34 REV. 10-9
	,	DATE DISPOSED	):				ACJIC-34 HEV. 10-5
		D.3.2					

# Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 1/1/07/2005 Page 65 of 100 CONSOLIDATED BOND 000000 (District Court, Grand Jury, Circuit Court)

STATE OF ALABAMA		10-00-11	17	
O () v.		Case Nu STATE OF A		
HOLL DEFENDANT	In the DIS	RUSSELI		County
I, (Defendant) Roy Hearth  we, A.A.A. BONDING CO.  State of Alabama \$ 10,000	_ unless the above nar	. •	sureties,agree	
Court of said County on (Date)  next session of Circuit Court of said County, or in the transfer; there to await the action by the grand jury a answer to the charge of  We hereby severally certify that we have property over bond. We waive the benefit of all laws exempting properties of debt, by the Constitution and Laws of the exempt our wages or salary, that we have under the lit is agreed and understood that this is a continuatime as the undersigned are duly exonerated.	nd from session to session to session to session to session and above all debts perty from levy and sale State of Alabama, as aws of Alabama.	he district or circ sion thereafter u , ; and liabilities to le under execution nd we especially	euit court of the intil discharged or any other the amount of or or other processing waive our right	ner charge. If the above cess for the its to claim
Signature of Defendant  Signature of Surety	Address (Print)  1319 HWY. 77  Address (Print)			<u>Zip</u> Zip
Signature of Surety	Address (Print)	City	State	Zip
Signature of Surety  ( - 2 - 25  Date	Address (Print)  Approved by  Title	City	State	Zip 
DEFENDAN  Date of Birth 12-3-100 Social Security	T'S INFORMA Number 259-2		Sex <u>M</u>	
Driver's License Number			\	
Telephone – Residence	Telephone – W	ork		
Appearance Bond – Property Bail Bond		Appearance Bond Cash Bond	_	ce LG-003

SEPARATE POWER-OF-ATTORNEY MUST BE ATTACHED TO EACH BOND AND REMAIN A PERMANENT PART OF THE COURT'S RECORD IN ORDER FOR ANA BONDING CO., TO BE LIABLE. THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OF WAGE LAW CLAIMS.

WHITE-RECEIPT-Client **BOTTOM-Jail** 

AGENT

YELLOW-Office

PINK-Remains in Book

£30000

Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed	11/0 <del>7/2005 Page 67 of 100</del>
Agency No. SL0003330 DC No. 00-1117&18 CC No	G. J. No. 173 W CUUO
A TRUE BILL, presented to the judge Presiding in open Court by the Foreperson	on of this Grand Jury, and filed in open
court this day of 2001.	
The Gold and I have Zilian	CC-01-36
Grand Jury Foreman Clerk of the Circuit Court	
of Russell County  Twenty-Sixth Judicial Circuit	
INDICTMENT	
THE STATE OF ALABAMA	
vs.	
ROY D. HEATH SID: AL01597699	
alias	
None Reported	
	SECTION
CHARGES:  1. DISTRIBUTION OF A CONTROLLED SUBSTANCE	
2. POSSESSION OF MARIJUANA 1ST DEGREE	
Bail fixed at \$ 2500 this /2 day of	
	2 Jun
	Judge Presiding
THE STATE OF ALABAMA	CIRCUIT COURT
RUSSELL COUNTY	2001
1	
Prosecutor: BUSTER LANDREAU	KENNETH DAVIS
000113	DISTRICT ATTORNEY TWENTY-SIXTH JUDICIAL
V -2	I WENT I SIATH JUDICIAL

Document 9-2

DC # 00-1117&18

CIRCUIT COURT - TWENTY-SIXTH JUDICAL CIRCUIT

Filed 11/07/2005

Page 68 of 100

Agency No. SL0003330

-THE STATE OF ALABAMA, RUSSELL COUNTY

## COUNT I

The Grand Jury of said county charge that, before the finding of this indictment, ROY D. HEATH, whose name is otherwise unknown to the Grand Jury than as stated, did unlawfully sell, furnish, give away, manufacture, deliver or distribute MARIHUANA, a controlled substance, in violation of Section 13A-12-211 of the Code of Alabama, 1975, as amended, and against the peace and dignity of the State of Alabama.

#### COUNT 2

The Grand Jury of said county further charge that, before the finding of this indictment, ROY D. HEATH, whose name is otherwise unknown to the Grand Jury than as stated, did possess marijuana, a controlled substance, for other than [his/her] personal use, in violation of 13A-12-213 of the Code of Alabama, 1975, as amended, and against the peace and dignity of the State of Alabama.

> KENNETH DAVIS District Attorney

Twenty-Sixth Judicial Circuit

#### WITNESSES:

KEMIKA ALLOWAY, 1001 13TH. ST. SO., BIRMINGHAM, AL 35205 AGENT JEFF EVANS, METRO NARCOTICS,, TOM FRANKLIN, RUSSELL COUNTY SHERIFFS DEPARTMENT, PHENIX CITY, AL 36867 AGENT HERRING, METRO NARCOTICS, , AGENT JIM PRICE, METRO NARCOTICS TASK FORCE, COLUMBUS, GA

Filed 11/07/2005

Page 69 of 100 000064

State of Alabama Unified Judicial System

# PLEA OF NOT GUILTY

Case Number

Form C-69 Rev 6/88	AND WAIVER OF ARRAIGNMENT	CC-01-3036
IN THE	ov David Heath	./
	ndant in the above styled matter, and to the offense charged ent	ers a plea of Not Guilty
Defendant further waives the Defendant is represented	the right to have an Arraignment at which the Defendant is prese by an attorney.	nt in person, or at which
or before such date as may Defendant had the right as a n	ically and expressly reserves the right upon the filing hereof to hobe set by the Court, to interpose any special pleas or addition natter of law or rule to interpose in this cause, prior to the filing house.	nal pleadings which the ereof.
Defendant's date of birth The Defendant is not eligible	is / 2 / 2 / 3 / 6 / Defendant's age is  for consideration by the Court for Youthful Offender status as pr	ovided by law.
2/16/01 Date 2/16/01	Defendant Defendant	Let Land
all matters set forth herein, and to the Defendant his right to certify to the Court that my complete explanation of early UNDERSTAND THAT I AM RESTHE MAKING OR FILING OF A RESPONSIBLE FOR NOTIFYING INFORMED HIM THAT IN THE LEGAL ACTION WILL BE TAKE that I have advised my client in the event he fails to appeal against the Defendant and his	The Attorney for the Defendant in this matter, and that I have fully and pertaining hereto, to the Defendant. I further state to the Corbe Arraigned in person and his right to have me represent him a lient hereby knowingly, voluntarily, and intelligently waives the ach and every one of them to him by me. BOTH MYSELF SPONSIBLE FOR ASCERTAINING WHAT DATE, IF ANY, HAS BEEN ANY ADDITIONAL PLEADINGS OR SPECIAL PLEAS. I FURTHER USENT OF THE DATE HIS CASE IS SET FOR TRIAL, AND THAT EVENT HE FAILS TO APPEAR ON THE DATE HIS CASE IS SET FOR TO BY THE COURT AGAINST THE DEFENDANT AND HIS BOND. I furthat he is responsible for obtaining the date his case is set for trial and and I hereby certify that the Defendant knows that he aris set for trial and for being present in Court on that date.	urt that I have explained t Arraignment. I further se rights after a full and AND THE DEFENDANT SET BY THE COURT FOR NDERSTAND THAT I AM IT I HAVE ADVISED AND TRIAL, ALL APPROPRIATE of the certify to the Court all in this matter and that ill be taken by the Court
2/16/01	Attorney for Defendant Signature	Hor
	Printed Attorney's Name  /// Frond F	Free + 36867
completely and fully read and Court that I do not wish to b Attorney represent me at an	Attorney has explained each and every matter and right set forth d do so understand each and every matter set forth in this form e personally present at an Arraignment in this case and that I on Arraignment and WITH FULL KNOWLEDGE OF EACH OF TH TS. I further state to the Court that I have been informed of the court that I have been informed on the court that I have b	n. I further state to the do not want to have an ESSE RIGHTS, I HEREBY
2//b/0	Defendant Signature	16 wt 10
Filed in office this date	2/16/01 Keethy Coulte	1 By: J35

פייאריי	E OF ALABAMA	)	IN THE CIRCUIT COURT OF
JIA11		ý	
	PLAINTIFF,	)	RUSSELL COUNTY, ALABAMA
^	VS.	)	CASE NO.: CC <u>01-36</u>
Loy	Lawid Heath	)	
V	DEFENDANT.	,	
	ARRAIGN	MENT ORDI	ER
Defer	ndant appeared in open cour	t on this	s date at which time:
<u>X</u> _	The defendant advised the Ohn Britton, Ather in these proceedings.		at he/she had retained law, to represent him/
	The defendant advised the unable to employ counsel to proceedings. The Court appart an experienced and competer these proceedings.	o represe	ent him/her in these
	The defendant applied for y said application was set f		
X	The defendant waived the rea plea of not guilty to the		
	The Court ordered an alias appeal in Court.	writ for	the defendant's failure to
	Plea deadline set for Apri	1 9, 2001	•
X	Docket call set for April	10, 2001	at 10:00 A.M.
<u>X</u>	This case is scheduled for	trial do	cket of April 16, 2001.
	The defendant shall pay the his/her attorney's fees.		
<del></del>			•
DONE	this the 20 th day of Februa		
			DGE, CIRCUIT COURT

STATE OF ALABAMA	· , , *	IN THE CIRCUIT COURT OF
STATE OF THE STATE	*	
V	*	RUSSELL COUNTY, ALABAMA
••	*	
ROY D. HEATH	*	CASE NO. CC-01-036

## NOTICE OF PRIOR CONVICTIONS FOR SENTENCE HEARING

Pursuant to Rule 26.6(b)(3)(ii) of the Alabama Rules of Criminal Procedure, notice is hereby given as to the following convictions which the State intends to establish in the sentence hearing of this Defendant in the event said Defendant is convicted on the instant matter, to-wit:

- 1. In the Superior Court of Muscogee County, Georgia, Case Number SU93CR1905, Count 1, Defendant was convicted of Aggravated Child Molestation. Said Defendant was represented by counsel.
- 2. In the Superior Court of Muscogee County, Georgia, Case Number SU93CR1905, Count 2. Defendant was convicted of Child Molestation. Said Defendant was represented by counsel.
- 3. In the Superior Court of Muscogee County, Georgia, Case Number SU93CR1905, Count 3, Defendant was convicted of Enticing a Child for Immoral Purposes. Said Defendant was represented by counsel

FILED IN OFFICE	2001 HAR -2 AM 11: 45	the chronizers. court on Russell co., At	Attorney for	Buster Landreau Chief Deputy District Attorney 26th Judicial Circuit LAN034  CERTIFICATE OF SERVICE ersigned hereby certifies that he served a copy of the foregoing upon the Hon. John Attorney for Defendant by placing the same in a box reserved in said attorney's name							
		in the Circuit Clerk's Office of Russell County.									
		This	2nd	day of	March	B	, 200	- Jo	andre	eass.	

Buster Landreau

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

V.

RUSSELL COUNTY, ALABAMA

ROY D. HEATH

CASE NO. CC-01-036

## NOTICE OF INTENT TO ADMIT CERTIFICATE OF ANALYSIS

COMES NOW THE STATE OF ALABAMA by and through the District Attorney for Russell County and gives notice to the above named Defendant that it intends to offer proof of the nature and quantity of the substance or substances charged in this case by the certificate of analysis prepared for the State by the Alabama Department of Forensic Sciences in proper form as required by Section 12-21-300 of the Code of Alabama (1975).

FILED IN OFFICE

KENNETH DAVIS **DISTRICT ATTORNEY** 

Chief Deputy District Attorney LAN034

## CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing notice on the Hon. JOHN BRITTON Counsel for Defendant by placing a copy of said notice in the receptacle reserved in his name in the Circuit Clerk's Office in the courthouse of Russell County, Alabama.

Done this_	<u> 2ND</u>	Day o	of,	MARCH	, 2	100

Buster Landreau

830000

STATE OF ALABAMA	*	IN THE CIRCUIT COURT OF
	*	
VS.	*	RUSSELL COUNTY, ALABAMA
, 50	*	
ROY D. HEATH	*	CASE NO. CC-01-030(036)

### MOTION FOR CONSOLIDATION OF OFFENSES

The State moves the Court for an order that the above actions be tried together, upon the ground that the alleged offenses charged against the defendant in the indictment in each of said actions could have been joined as a single indictment under Rule 13 of the Alabama Rules of Criminal Procedure in that they are:

- 1. Of the same or similar character; or
- 2. Based on the same conduct or are otherwise connected in their commission; or
- 3. Alleged to have been part of a common scheme or plan.

By trial together of said actions, the expense of and time consumed in trial will be materially

reduced. FILED IN OFFICE CHIEF DEPUTY DISTRICT ATTORNEY 26TH JUDICIAL CIRCUIT LAN 034

CERTIFICATE OF SERVICE
I hereby certify that I have this date served a copy of the forgoing Motion upon the Hon. JOHN BRITTON Attorney for the Defendant by placing a copy of the same in a receptacle reserved in his name in the office of the Circuit Clerk of Russell County

Done this	2ND	Day of	MARCH	,2001
			Bus	Fer Tandreau

**BUSTER LANDREAU** 

20069

STATE OF ALABAMA	*	IN THE CIRCUIT COURT OF
	*	
VS.	*	RUSSELL COUNTY, ALABAMA
	*	
ROY D. HEATH	*	CASE NO. CC-01-036

#### **MOTION FOR DISCOVERY**

Comes now the State of Alabama by and through its District Attorney, Kenneth Davis and moves the Court pursuant to Rule 16.2 of the Alabama Rules of Criminal Procedure to issue an order directed to Hon. **JOHN BRITTON** Counsel for Defendant, to-wit:

- 1. To permit the State to analyze, inspect, and copy or photograph books, papers, documents, photographs, audio tapes, video tapes, tangible objects, buildings or places, or portions of any of these things, which are within the possession custody, or control of the Defendant and which the Defendant intends to introduce in evidence at the trial.
- 2. To permit the State to inspect and copy any results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with this particular case, which are within the possession or control of the Defendant and which he intends to introduce in evidence at the trial or which were prepared by a witness whom the Defendant intends to call at the trial, if the results or reports relate to the witness's testimony.
- 3. To produce and permit the State to inspect and copy the names and addresses of qualified mental health professionals who have personally examined the Defendant or any evidence in this case, as well as the results of or reports of mental examinations, scientific tests, experiments or comparisons and statements made by such professionals.

Oone this	2ND	Day of	MARCH	,2001.

KENNETH DAVIS **DISTRICT ATTORNEY** 26TH JUDICIAL CIRCUIT

BY:

Buster Landreau

Chief Deputy District Attorney

LAN 034

## **CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing Motion for Discovery upon the Hon. JOHN BRITTON, Counsel for the Defendant, by placing the same in a receptacle reserved in his/her name in the Office of the Clerk of the Circuit Court of Russell County, Alabama.

This the 2ND Day of MARCH , 2001.

Buster Landreau

Case 3:05-cv-00936-MEF-CSC	D	ocument 9-2 Filed 11/07/2005	Page 76	of 100
STATE OF ALABAMA,	)	IN THE CIRCUIT COURT OF		000071
PLAINTIFF,	)	RUSSELL COUNTY, ALABAMA		100011
3.	)	CASE NO. CC 01-030,036	•	
ROY D. HEATH	)			
DEFENDANT.	)			

#### ORDER

The State of Alabama, by and through its District Attorney, has filed a motion for discovery in the above case. Upon consideration of the motion, it is ORDERED by the Court that the Defendant shall:

- 1. Permit the District Attorney to analyze, inspect, and copy or photograph books, papers, documents, photographs, tangible objects, buildings or places, or portions of any of these things, which are within the possession, custody or control of the defendant and which the defendant intends to introduce in evidence at the trial.
- Permit the District Attorney to inspect and copy any results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case, which are within the possession or control of the defendant and which the defendant intends to introduce in evidence at the trial or which were prepared by a witness whom the defendant intends to call at trial, if the results or reports relate to the witness's testimony.

DONE this 6th day of March, 2001.

Searce Cheese Judge

George R. Greene, Circuit Judge

# IN THE CIRCUIT COURT OF RUSSELL COUNTY, ALABAMA

STATE OF ALABAMA	)	
PLAINTIFF	)	
VS.	)	CASE NO. CC-01-30,36
ROY D. HEATH	)	
DEFENDANT	)	

#### ORDER

It is Ordered that the above styled cause is set for a hearing for the 11th day of April, 2001 at 4:00 P.M. in Courtroom No. 1, Russell County Courthouse on the State's motion to consolidate.

Dated this the 20th day of March, 2001.

JUDGE, CIRCUIT COURT

Dearge Sheene

CHAINT CHIEF CHIEF SHOULD IN OFFICE

Case 3	.05-07-00	936-IVIEF-CS	Document 9-2	Filed 11/07/2005	Page 78 of 100
State of Alabama Unified Judicial System		EXPL	ANATION OF RIG	TY AND	Case Number
Form CR-52 (front)	lev. 8/11/2000	-(Habitual	Felony Offender — Circuit o		Count (6 - 0/ - 30 :
INTHE	(Circuit or D	District)	COURT OF	(Name of Coun	(count #. if applicable , ALABAMA
STATE OF ALABA	MA v	DY D	Defend	1	
as a criminal defendant. You are charged wi	th the crime of	Digtribut	s offense or 🗆 to the crime of	CASE A PIFF PS	Felony. The court has been
	which i	s a Class	_Felony. The sentencing range to	for the above crime(s) is set o	ut below:
FELONY					
Class A N	ot less than ten (1 nd may include a	<ol> <li>years and not more fine not to exceed \$2</li> </ol>	e than ninety-nine (99) years imprisonm 10,000.	ent or life imprisonment in the state	e penitentiary, including hard labor
no	of to exceed \$10,	000. For imprisonmen	e than twenty (20) years imprisonment it not more than 3 years, confinement m	hay be in county jail and sentence i	may include hard labor for county.
Class C No.	ot less than one clude a fine not to	(1) year and one (1) do exceed \$5,000. For i	lay and not more than ten (10) years in imprisonment not more than 3 years, co	nprisonment in the state penitentia	ary, including hard labor and may
he following enhanced prior Felonies -> This offense	unishment for a	nyone who has bee	ed that the Alabama Habitual Offe on previously convicted of one or mo One Prior Felony	ore felonies and who then is co	nvicted of a subsequent felony:  Three +  Prior Felonies
Class C Felony	In St	1 Day —10 Years ate Penitentiary e Up To \$5,000	2—20 Years In State Penitentiary Fine Up To \$10,000	10 — 99 Years or Life In State Penitentiary Fine Up To \$20,000	15 — 99 Years or Life In State Penitentiary Fine Up To \$20,000
Class B Felony	in St	— 20 Years, ate Penitentiary Up To \$10,000	10 — 99 Years or Life. In State Penitentiary Fine Up To \$20,000	15— 99 Years or Life In State Penitentiary Fine Up To \$20,000	Mandatory Life Imprisonment or any term of not less than 20 years Fine Up To \$20,000
Class A Felony (No prior convictions for Class A Felony)	In St	99 Years or Life ate Penitentiary Up To \$20,000	15 — 99 Years or Life In State Penitentiary Fine Up To \$20,000	Life imprisonment or Any Term Of Years Not Less Than 99 Fine Up To \$20,000	Mandatory Imprisonment For Life or Life Imprisonment Without Possibility of Parole Fine Up To \$20,000
Class A Felony (One or more prior convictions for any Class Felony)	In State	9 Years or Life 9 Penitentiary p To \$20,000	15 — 99 Years or Life In State Penitentiary Fine Up To \$20,000	Life imprisonment or Any Term Of Years Not Less Than 99 Fine Up To \$20,000	Mandatory Imprisonment For Life Without Possibility of Parole Fine Up to \$20,000
	•	-	nts or additional penalties as prov	•	
where a "firearm or dead in such event: For the co Felony, a term of impriso Enhanced Punisur(awfully selling any cor nust be punished by an a mandatory and the punis	ly weapon was mmission of a comment of not less than the shape of the	used or attempted Class A Felony, a ess than 10 years; ug Sale Near Schonce within a three (3 lity of five years impd shall not be suspe	Deadly Weapon: §13A-5-6, Code to be used in the commission of a term of imprisonment of not less to book §13A-12-250, Code of Alabar (a) mile radius of a public or private private or probation granted.	a felony." This section provide than 20 years; for the commis ma 1975, provides that any pees school, college, university or facility for each violation. This	es for the following punishment sion of a Class B or Class C arson who is convicted of other educational institution, s period of imprisonment is
convicted of unlawfully se	elling any contr I penalty of five	olled substance with years' imprisonme	sing Project: §13A-12-270, Code hin a three (3) mile radius of a put ent in a state correctional fac <del>li</del> ty fo obation granted.	olic housing project owned by	a housing authority must be

ass A Felony and the punishment imposed shall not be suspended or probation granted.

☐ Enhanced Punishment For Sales Of Controlled Substance To Anyone Under 18: §13A-12-215, Code of Alabama 1975, provides that anyone convicted of selling, furnishing, or giving away a controlled substance to one who has not yet attained the age of 18 years, shall be guilty of a

☐ Drug Demand Reduction Assessment Act and Loss of Driving Privileges: Section 13A-12-281 provides that, if you are convicted of a violation of §13A-12-202 (criminal solicitation to commit controlled substance crime), 13A-12-203 (attempt to commit a controlled substance crime), 13A-12-204 (criminal conspiracy), 13A-12-211(unlawful distribution of a controlled substance), 13A-12-212 (unlawful possession or receipt of a controlled substance), 13A-12-213 (unlawful possession of marijuana, 1st), 13A-12-215 (sale, furnishing, etc., of controlled substance by person over age 18 to person under

Filed 11/07/2005

Page 79 of 100

Form	CR-52	(back)

		6607
Form CR-52 (back)	Rev. 8/11/2000	EXPLANATION OF RIGHTS AND PLEA OF GUILTY (Habitual Felony Offender Circuit or District Court)
a drug rehabilitation prothe court to reduce the the court if you fail to expossession of marijual a motor vehicle for a particle. Bastreatment and to pay for program to which you monitoring sessions, it waiver of part of all of ordered by the court in DNA Samples the offenses set out in attempt, conspiracy, on Drug Possess as defined in §§13A-1 of Alabama 1975.	rogram and if you age penalty by the amore penalty by the amore penalty in the second degree of six months. Related Offenses: sed upon the results or the evaluation and may be referred will including random druthe fees assessed if a lieu of the monetary of for Criminal Offen is \$36-18-24(felony of the monetary of the second in the results and the fees assessed if a lieu of the monetary of the monetary of the second in the results and the second in the results are continued in the results and the second in the results are continued in the results are continued in the results and the second in the results are continued	ne of these sections. Collection of all or part of the penalty will be suspended if, with court approval, you entered to pay for a part or al! of the program costs. Upon successful completion of the program, you may apply to ant actually paid by you for participation in the program. Any suspension of the penalty can be withdrawn by ally pursue or otherwise fail to complete an approved program. In addition, pursuant to §13A-12-214 (unlawful ree), §32-5A-191(a)(3) or §32-5A-191(a)(4)(DUI offenses involving drugs), you will lose your privilege to drive which shall be in addition to any suspension or revocation otherwise provided by law.  If you are convicted of an alcohol or drug-related offense, you will be required to undergo an evaluation for of any such evaluation, you will be required to complete the recommended course of education and/or any cost of program to which you are referred. Failure to submit to an evaluation or failure to complete any be considered a violation of any probation or parole you may be granted. You may also be required to attend g and alcohol testing or blood, urine and/or breath, tests and to pay a fee for this service. You may request a you are indigent or for any portion of time you are financially unable to pay. Community service may be payment of fees.  Ses in §36-18-24: Section 36-18-25(e), Code of Alabama 1975, provides that, all persons convicted of any of tense or any offense contained in Chapter 6 of Title 13A - offenses involving danger to the person - or you shall be ordered by the court to submit to the taking of a DNA sample or samples.  Set in any court of this state for drug possession, drug sale, drug trafficking, or drug paraphernalia offenses, inclusive, Code of Alabama 1975, an additional fee of \$100.00 will be assessed pursuant to §36-18-7, Code
☐ Other:		
not be compelled to git to answer any question. You have the right trial before a duly select to trial, you would have and cross examine you their attendance in conclusive to do so, as no subjected to cross exattorney is bound to do if you elect to prohe State produces subjected to cross subjected to produce subjected to p	ive evidence against ins. If you do answer that to enter, and contincted jury. The jury we the right to be presurt accuser(s) and all untrand their testimor one can require you amination. If you deco everything he/she to ceed to trial, you confficient evidence to conceed to trial, you confficient evidence to conficient evidence to conceed to trial, you confficient evidence to conficient	L. Clare
Date // //		Judge
in detail the defendan	t's rights and the con ily, and intelligently w d or induced the defer	ATTORNEY'S CERTIFICATE to the defendant by me; that I explained the penalty or penalties involved with the defendant; that I discussed sequences of pleading guilty; and that, in my judgment, the defendant understands the same and that he/she aiving his/her rights and entering a voluntary and intelligent plea of guilty. I further certify to the court that I hadant to plead guilty and to my knowledge at one else has tone so.
fully explained; that I	ourt that my attorney ounderstand the charge, and I understand the not been threateners.	NDANT'S STATEMENT OF WAIVER OF RIGHTS AND PLEA OF GUILTY has read and explained the matters set forth above; that my rights have been discussed with me in detail and e or charges against me, that I understand my rights, the punishment or punishments provided by law as they be consequences of pleading guilty; that I am not under the influence of any drugs, medicines, or alcoholic dor abused or offered any inducement, reward, or hope of reward to plead guilty other than the terms of the record.

I further state to the court that I am guilty of the charge to which I am entering a plea of guilty, that I desire to plead guilty, that I made up my own mind to plead guilty, and that I knowingly, intelligently, and voluntarily waive my right to a trial in this case. I further state to the court that I am satisfied with my attorney's services and his/her handling of my case.

STATE OF ALABAMA

* IN THE CIRCUIT COURT OF

*

VS. * RUSSELL COUNTY, ALABAMA

ROY D. HEATH * CASE NO. CC-01-030,036

## PLEA AGREEMENT

The Defendant has been indicted for the following:

CASE NO.

CC-01-030

CC-01-036

COUNT 1

OFFENSE CHARGED

DISTRIBUTION OF MARIJUANA

DISTRIBUTION OF MARIJUANA

COUNT 2 POSSESSION OF MARIJUANA 1ST

Upon Defendant's plea of guilty to the charge(s) below, the District Attorney recommends the following:

following:

CASE NO. OFFENSE PLED

CC-01-030 DISTRIBUTION OF MARIJUANA

CC-01-036 COUNT 1 DISTRIBUTION OF MARIJUANA

COUNT 2 POSSESSION OF MARIJUANA 1ST

### **SENTENCE**

CC-01-030

30 YEARS plus costs plus a \$1,000.00 penalty mandated by the Demand Reduction Assessment Act of §13A-12-281 plus \$100.00 to the Forensic Science Fund and \$100.00 to the Victim's Compensation Fund. Further, the Defendant understands that §13A-12-290 requires that the Department of Public Safety requires the suspension of the Defendant's driver's license for a period of six (6) months.

(This 30 years shall consist of 20 years for violation of §13A-12-211, an additional 5 years mandated by §13A-12-250 for a sale of a controlled substance at or near a school campus and an additional 5 years mandated by §13A-12-270 for a sale of a controlled substance at or near a public housing

project. For purposes of this plea, the Defendant agrees to stipulate that this act occurred within three (3) miles of both a school and a housing project. No further proof of this by the State of Alabama will be required.)

Document 9-2

CC-01-036 Count 1

30 YEARS Concurrent with the sentences imposed in CC-01-030 and Count 2 hereof, plus costs plus a \$1,000.00 penalty mandated by the Demand Reduction Assessment Act of §13A-12-281 plus \$100.00 to the Forensic Science Fund and \$100.00 to the Victim's Compensation Fund. Further, the Defendant understands that §13A-12-290 requires that the Department of Public Safety requires the suspension of the Defendant's driver's license for a period of six (6) months.

(This 30 years shall consist of 20 years for violation of §13A-12-211, an additional 5 years mandated by §13A-12-250 for a sale of a controlled substance at or near a school campus and an additional 5 years mandated by §13A-12-270 for a sale of a controlled substance at or near a public housing project. For purposes of this plea, the Defendant agrees to stipulate that this act occurred within three (3) miles of both a school and a housing project. No further proof of this by the State of Alabama will be required.)

CC-01-036 Count 2

30 YEARS Concurrent with the sentences imposed in CC-01-030 and Count 1 hereof, plus costs plus a \$1,000.00 penalty mandated by the Demand Reduction Assessment Act of §13A-12-281 plus \$100.00 to the Forensic Science Fund and \$100.00 to the Victim's Compensation Fund. Further, the Defendant understands that §13A-12-290 requires that the Department of Public Safety requires the suspension of the Defendant's driver's license for a period of six (6) months.

# HABITUAL OFFENDER APPLICATION

It is further agreed by the State of Alabama and the Defendant that Defendant has Three (3) prior felony conviction(s) and that Defendant will stipulate to same and that no further proof of this conviction need be made by the State of Alabama upon sentencing.

### RESTITUTION

The Defendant, counsel for the Defendant and the District Attorney agree that restitution is due the victim(s) as follows:

CASE NO.

**AMOUNT** 

VICTIM AND ADDRESS

CC-01-030,036

none

# **<u>DEFENDANT HEREBY WAIVES HIS/HER RIGHT TO A RESTITUTION HEARING</u>**

The Defendant is hereby ordered to pay restitution and court costs in the above-styled case. The per month, or such amount as Defendant agrees to make payments of \$_100.00_ determined by the Probation Officer (whichever is greater) beginning 90 days subsequent to the date the Defendant was sentenced.

If the Defendant is incarcerated as a result of the sentence imposed in this case, the Defendant agrees to make payments within 90 days of release from confinement. If the Defendant receives probation as a result of the sentence imposed in this case, the Defendant agrees to make payments as delineated above and the Defendant agrees that a condition of his probation is to make regular payments.

The Defendant understands that failure to make regular monthly payments will result in an additional thirty per cent (30%) collection fee being added to the balance after 90 days. Failure of the Defendant to make regular payments may result in a wage withholding order being issued by this court.

### APPEAL

If the Defendant files any post conviction petition (including but not limited to a Rule 32 Petition, a Motion for New Trial, a Motion to Set Aside this Plea Agreement or an Appeal) the State may void this agreement and return the original charges in this matter to the Trial docket.

It is further agreed by the Defendant, counsel for the Defendant and the District attorney that upon approval of the above by the Court, the Defendant will enter a plea of guilty.

Defendant

John Britton

Circuit Judge - Russell County, Alabama

Page 83 of 100 000078

STATE OF AI	LABAMA * IN THE CIRCUIT COURT OF
VS.	* RUSSELL COUNTY, ALABAMA
ROY D. HEA	* CASE NO. CC-01-030,036
	STATEMENT OF ATTORNEY'S REPRESENTATION
Comes now the correct all of the	the Defendant in the above-styled matter to honestly state under oath, as true and the following as to the representation of the Attorney(s) of Record herein.
1)	Are you completely satisfied with the way your attorney has represented you in this case?
	YesNo
2)	Given all the circumstances, are you completely satisfied with the settlement worked out by your attorney in this case?
3)	Do you accept this settlement voluntarily and of your own free will?
	YesNo
4)	Did anyone force, coerce, threaten, or promise you anything to get you to accept this settlement?  Yes  Yes
5)	Do you have any complaints at all about your attorney or the legal representation you received in this matter?
	Yes No
I DO HERE absolutely tr	EBY CERTIFY, upon my oath before this Court, that all of the above answers are rue and correct.
() am	Date: 4/9/11
Defendant	

PLEA OF GUILTY	ΡI	FΔ	OF	GU	ILTY
----------------	----	----	----	----	------

	CC 01-36 Ct.)
TATI	E OF ALABAMA VS. Roy David Seath
	Defendant, together with his/her attorney, appeared in open court on this date at which time:
	The defendant, having been advised by the Court of the charge(s) embraced in the indictment and the punishment therefore, and the Court being satisfied that the defendant has been advised of his/her rights under the Constitutions of this State and the United States, the said defendant, with the consent and advise of his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the offense of Albantana as charged in the indictment.
	The defendant having been advised by the Court of the charge(s) embraced in the indictment and the punishment therefore, and the Court being satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the LESSER AND INCLUDED offense of as charged in the indictment.
	Sentencing hearing is waived by both parties.
	Sentencing hearing is set forat
<u></u>	Sentencing on the plea of guilty is set for 5-31-01 at 9:30 AM.
	Defendant makes application for probation. Ruling on said application for probation is set for $\frac{5-3}{-0}$ at $\frac{9:30 \text{ Am}}{-0}$ .
DON)	E this the 9 th day of April, 2001.

<b>PLEA</b>	OF	GU	IL	ΤY	7
-------------	----	----	----	----	---

	CC_1)1-50 C4.2	
STAT	E OF ALABAMA VS. Roy David Neath	
	Defendant, together with his/her attorney, appeared in open court on this date at which time:	
<u> </u>	The defendant, having been advised by the Court of the charge(s) embraced in the indictment and the punishment therefore, and the Court being satisfied that the defendant has been advised of his/her rights under the Constitutions of this State and the United States, the said defendant, with the consent and advise of his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the offense of Constitution as charged in the indictment.  The defendant having been advised by the Court of the charge(s) embraced	C4 · Z
	in the indictment and the punishment therefore, and the Court being satisfied that the defendant has been advised of his/her rights under the Constitution of this State and the United States, by his/her attorney, withdraws his/her plea of not guilty and pleads guilty to the LESSER AND INCLUDED offense of as charged in the indictment.	
	Sentencing hearing is waived by both parties.	
	Sentencing hearing is set forat	
<u></u>	Sentencing on the plea of guilty is set for 5-31-01 at 9:30 AM	
$\underline{\checkmark}$	Defendant makes application for probation. Ruling on said application for probation is set for 5-31-01 at 9:30 AM.	
DON	F this the 9 th day of April, 2001.	

JUDGE, CIRCUIT COURT

Case 3:05-cv-00936-MEF-CSC	Document 9-2	Filed 11/07/2005	Page 86 of 100
STATE OF ALABAMA,	)	IN THE CIR	CUIT COURT OF UNTY, ALABAMA
VS. ROY D. HEATH	<b>)</b> .	CASE NO. C	C 01-36
DEFENDANT	• • • • • • • • • • • • • • • • • • • •	C	ount 1
	ENTENCING ORDER		
The defendant and counsel, and open court for the defendant to DISTRIBUTION OF MARIJUANA, Count 1	counsel for the	e State of Alak on his/her con	oama appeared in viction of
	UAL FELONY OFFE	INDER	
The defendant is sentenced of Section 13A-5-9 and 10	l as a habitual of the <u>Code of</u>	offender unde Alabama.	the provision
	SENTENCE		
The Court conducted a sent			
A pre-sentence report was the Court.			
The defendant waived a pre	e-sentence inve	stigation and	report.
The defendant is sentenced Department of Corrections	for a period o	)1 <u>50</u> Year (8)	
Sentence to including five 270, Code of Alabama, as pursuant to 13A- 12-25	nd an additiona 0, <u>Code of Alal</u>	oama.	
The defendant is sentence County for a period of	year (s),	monen(b)	
The defendant's sentence imposed in(C - 6/-	shall be concur	rrent with the $-6/-34$ 00	sentence(s)
The defendant shall pay r to to collect and disburse r to other court costs.	المساء المساوية والمارات	the smount of S	
The defendant shall be gi			
The defendant shall pay a			
The defendant shall pay			fee.
The defendant shall pay			- L <b>.:</b> - m
The defendant shall pay Commission the sum of \$	00.00.		
The defendant shall perfo	orm hour	cs of community	service.
The defendant is assessed Reduction Assessment Acceptable Alabama which will be sure in rehabilitation logra	spended upon d	efendant's agre	ted by the behand the Code of ement to enroll

	Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 11/07/2005 Page 87.01/0852
	The defendant shall undergo a substance abuse program while at the Department of Corrections.
	The defendant is assessed with \$100.00 to Forensic Services Trust Fund Act No. 95-733 (Codified at Section 36-18-7).
	The defendant's drivers license are suspended for a period of 6 months.
	The defendant shall reimburse the State of Alabama the costs of his/her appointed counsel.
	The payment of court ordered monies shall be a condition of parole, early release, S.I.R., or work release.
	SUSPENDED SENTENCE
	The defendant's sentence is suspended, and the defendant is placed on supervisedunsupervised probation for a period of:
	SPLIT SENTENCE
<del></del> .	The defendant's sentence is suspended, and the defendant is placed on supervised probation for a period of, however, as a first condition of probation the defendant shall serve a period of in the custody of the Commissioner of the Department of in the custody of Russell County. At the end of the defendant's Corrections/Sheriff of Russell County. At the end of the defendant's incarceration, he/she shall be transported back to this Court for the imposition of further terms and conditions of probation.
	BOOT CAMP
	The defendant shall serve up to 180 days in the custody of the Commissioner of the Department of Corrections and he shall successfully complete the disciplinary, Rehabilitation program. When said program is completed or defendant is released from said program, he shall be returned to this Court for a hearing on his application for probation.
	REVERSE SPLIT SENTENCE
	The defendant's sentence is suspended, and the defendant is placed on supervised probation for a period of; however, upon completion of said probation period, the defendant shall serve a period of in the custody of the Sheriff of Russell County, Alabama.
<u> </u>	The defendant was advised that he/she has the right to appeal his/her conviction and sentence, and if declared indigent he/she has the right to appointed counsel and the court reporter's transcript will be provided without cost to the defendant.
	A review is scheduled for, 2001 at
OC	WE and ORDERED in open court this31st day ofMay, 2001

JUDGE, CIRC F COURT

Case 3:05-cv-00936-MEF-CSC	Document 9-2	Filed 11/07/2005	Page 88 of 100
STATE OF ALABAMA,	)	pricegil, CC	CUIT COURT 09053
VS. ROY D. HEATH	)	CASE NO. C	C 01-20
DEFENDANT	المسلمون والمستخدمونية على الرابي المستحدد المستحد المستحدد المستحدد المستحدد المستحدد المستحدد المستحدد المستح المستموات المستحدد ا		Count, 2
	NTENCING ORDER	2	
The defendant and counsel, and open court for the defendant to POSSESSION OF MARIJUANA 1st degree,	counsel for the be sentenced	e State of Alab	oama appeared in viction of
	JAL FELONY OFF		
The defendant is sentenced of Section 13A-5-9 and 10	as a habitual of the <u>Code of</u>	offender under Alabama.	r the provision
	SENTENCE	•,	
The Court conducted a sent	encing hearing	T -	- 17 7 les
A pre-sentence report was the Court.	•		
The defendant waived a pre	e-sentence inv	estigation and	report.
The defendant is sentenced Department of Corrections	TOL & PELIOG	22 1000	
Sentence to including five 270, Code of Alabama, ar pursuant to 13A- 12-250	, Code of Ala	bama.	
The defendant is sentenced County for a period of	Year (2),		
The defendant's sentence imposed in	shall be concu	rrent with the	sentence(s)
The defendant shall pay r to collect and disburse r to other court costs.	estitution in	the amount of	is authorized
The defendant shall be gi	ven credit for	time served.	
The defendant shall pay a			
The defendant shall pay \$			fee.
The defendant shall pay t	the cost of th	is case.	mensation
The defendant shall pay to Commission the sum of \$	70		
The defendant shall perfo	orm hou	rs of community	service.
The defendant is assessed Reduction Assessment Account Alabama which will be sugar in rehabilitation regrammes.	spended upon d	efendant's agre	the Code of ement to enroll

JUDGE, CIRC F COURT

Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 11/07/2005 Page 90 of 100

ALABAMA JUDICIAL DATA CENTER
RUSSELL COUNTY
TRANSCRIPT OF RECORD
CONVICTION REPORT
CC 2001 000036.00 01

ACR359

000085

CC 2001 000036.00 01 GEORGE R. GREENE

CIRCUIT COURT OF	RUSSELL COUNT	Υ	COURT DRI: 0570	)15 J
CIRCUIT COURT OF STATE OF ALABAMA HEATH ROY DAVID TRAPPER DRIVE PHENIX CITY AL	VS. ALIA ALIA 36867	S: S:	DC NO: WR 2000 G J: 173 SSN: 25927165 SID: 00000000 AIS:	001362.00
DOB: 12/23/1960	SEX: M HT	: 5 06 WT: 195 IDN: AGE	HAIR: BRO E	YE: BRO   S:
1 DEEENGE: 05/	02/2000 ARRE	ST DATE: 05/04/20	OO ARREST DRI	: 0570000
CHARGES @ CONV	CITES 13A-012-211	CT CL COURT A 01 B GUILTY	CTION (	CA DATE   04/09/2001   
	COEENE	PROSECUTOR:	LANDREAU BUSTER	₹ !
PROBATION APPLIED	GRANTED D	ATE REARRESTE	D DAIL REVUKE	N DATE I
15-18-8, CODE OF ()Y(X)N CONF PROE DATE SENTENCED: C	ALA 1973 INEMENT: 30 (ATION : 00 )5/31/2001	00 000 00 00 000 00 000 SENTENCE BEGINS:	30 00 000 00 00 00 000 05/31/2001	0 00 047
PROVISIONS		COSTS/RESTITUTION	DUE	ORDERED
PENITENTIARY CONCURR SENT HABITUAL OFDR DOC/SAPP PGM ENHANCED SCH ENHANCED PROJ DRUG		RESTITUTION ATTORNEY FEE CRIME VICTIMS COST FINE MUNICIPAL FEES DRUG FEES ADDTL DEFENDANT DA FEES COLLECTION ACCT JAIL FEES	\$00.000 \$00.000 \$00.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000 \$3.000	\$0.000     \$0.000     \$0.000     \$2099.000     \$2999.0000     \$200.0000     \$0.0000     \$0.0000     \$0.0000     \$0.0000
•		TOTAL	\$3119.00	\$3119.00
APPEAL DATE	SUSPENDED	AFFIRMED	VEHIVE	' i
REMARKS:		THIS IS ABOVE IN FROM OFF	TO CERTIFY THA NFORMATION WAS FICIAL COURT RE TRUE AND CORREC	EXTRACTED CORDS
		HOZ RATHY-CI 06/07/20	the Coulte	N.

OPERATOR: JOS PREFARED: 06/07/2001

Page 91 of 100

Case 3:05-cv-00936-MEF-CSC Document 9-2 Filed 11/07/2005

ALABAMA JUDICIAL DATA CENTER
RUSSELL COUNTY
TRANSCRIPT OF RECORD
CONVICTION REPORT
CC 2001

000056

CC 2001 000034.00 02 GEORGE R. GREENE

CIRCUIT COURT OF RUSSELL COUNTY COURT ORI: 057015 J
STATE OF ALABAMA VS. HEATH ROY DAVID HEATH ROY DAVID ALIAS: G J: 173 SSN: 259271658 ALIAS: G J: 173 O000000000000000000000000000000000000
DOB: 12/23/1960 SEX: M HT: 5 06 WT: 195 HAIR: BRO EYE: BRO   AGE: FEATURES:
DATE OFFENSE: 05/02/2000 ARREST DATE: 05/04/2000 ARREST DRI: 0570000
CHARGES @ CONV CITES CT CL COURT ACTION CA DATE CHARGES @ CONV CITES O1 C GUILTY PLEA 04/09/2001 POSS MARIJUANA 1ST 13A-012-213 01 C GUILTY PLEA 04/09/2001
JUDGE: GEORGE R. GREENE PROSECUTOR: LANDREAU BUSTER
PROBATION APPLIED GRANIED DATE ( )Y( )N
( ) Y( ) N
DATE SENTENCED. OS/SI/PERIONS COSTS/RESTITUTION DUE ORDERED
PROVISIONS  PENITENTIARY CONCURR SENT CHARLITUAL OF DR  COST  PROVISIONS  RESTITUTION ATTORNEY FEE SO.00 CRIME VICTIMS SO.00 S
PROVISIONS  FENITENTIARY CONCURR SENT HABITUAL DFDR DDC/SAFF PGM DRUG  PROVISIONS  RESTITUTION ATTORNEY FEE CRIME VICTIMS SO.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
COLLECTION ACCI \$0.00 \$0.00 JAIL FEES \$0.00
TOTAL \$ 00 \$ .00  TOTAL \$ 00 \$ .00  AFFIRMED REARREST  APPEAL DATE SUSPENDED ()Y()N
APPEAL DATE SUSPENDED AFFIRMED REARREST
( ) Y ( ) N ( ) Y ( ) N
THIS IS TO CERTIFY THAT THE REMARKS: ABOVE INFORMATION WAS EXTRACTED FROM OFFICIAL COURT RECORDS AND IS TRUE AND CORRECT.
Kathy Coulter
RATHY-COULTER
06/07/2001

OPERATOR: JOS PREPARED: 06/07/2001

ACR359

ALABAMA JUDICIAL DATA CENTER

NOTICE OF APPEAL TO THE ALABAMA COURT OF CRIMINAL APPEALS
BY THE TRIAL COURT CLERK
IN THE CIRCUIT COURT OF RUSSELL COUNTY
STATE OF ALABAMA VS HEATH ROY DAVID

STATE OF ALABAMA VS HEATH ROY DAVID

STATE OF ALABAMA VS HEATH ROY DAVID

OUTPER

ALABAMA JUDICIAL DATA CENTER
BY THE ALABAMA COURT OF CRIMINAL APPEALS
BY THE TRIAL COURT CLERK
IN THE CIRCUIT COURT OF RUSSELL COUNTY
STATE OF ALABAMA VS HEATH ROY DAVID

STATE OF ALABAMA VS HEATH ROY DAVID

JUDGE: GEORGE R. GREENE APPEAL DATE: 07/11/2001 GRANTED INDIGENCY STATUS AT TRIAL COURT:
APP. TRIAL COUNSEL PERMITTED TO W/D ON APPEAL:
INDIGENT STATUS REVOKED ON APPEAL:
INDIGENT STATUS GRANTED ON APPEAL: INDIGENCY STATUS: YES NO YES NO DEATH PENALTY: NO APPEAL TYPE: OTHER (SPECIFY) THIS APPEAL IS FROM AN ORDER DENYING A PETITION (I.E., RULE 32 PETITION, WRIT OF HABEAS CORPUS, ETC) OR FROM ANY OTHER ISSUED BY THE TRIAL JUDGE. CD/CASE NUMBER: 57/CC 2001 000036.00 _GRANTED ORDER ENTERED (DATE): 04092001 PETITION: __DISMISSED DENIED THIS IS AN APPEAL FROM A CONVICTION. DATE OF SENTENCE: 05/31/2001 DATE OF CONVICTION: 04/09/2001 YOUTHFUL OFFENDER STATUS: DENIED CD/CASE NUMBER: 57/CC 2001 000036.00 CDDE: UDCS CONVICTION: UNLAW DISTRIB CO ACTION: GUILTY PLEA STATUTE: 13A-012-211 ACTION: GUILTY PLEA STATUTE: 13A-012-213 CONVICTION: POSS MARIJUANA 1 CODE: VAPF CONF: 30 YRS 00 MOS 000 DAYS PROB: 00 YRS 00 MOS 000 DAYS LIFE: NO LIFEWO: NO SENTENCE: SENTENCE: POST-JUDGMENT MOTIONS FILED: DT FILED

--- MOTION FOR NEW TRIAL

--- MOTION FOR JUDG. OF ACQUIT

--- MOTION TO W/D GUILTY PLEA

--- MOTION FOR ATTY TO W/DRAW CON BY AGREE DT DENIED OTHER WILSON, LINDA S. C/O HON. GEORGE R. GREENE PHENIX CITY , AL 3686 COURT REPORTER(S): ADDRESS: AL 36867 BRITTON JOHN M P D DRAWER 1188 PHENIX CITY 205-298-7062 APPELLATE COUNSEL #1; ADDRESS: AL 36867 PHONE NUMBER: APPELLATE COUNSEL #2: ADDRESS: PHONE NUMBER: HEATH ROY DAVID APPELLANT (PRO SE); 3 TRAPPER DRIVE ADDRESS: 368670000 AL PHENIX CITY AIS #: APPELLEE (IF CITY APPEAL): ADDRESS:

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND I HAVE SERVED A COPY OF THIS NOTICE OF APPEAL ON ALL PARTIES TO THIS ACTION ON THIS ACTION OF THIS ACTION OF THIS ACTION OF THE THIS

OPERATOR: JOS PREPARED: 07/11/2001 // COURT CLERR KETKUTT CIRCUTT

0000039

THE STATE OF ALABAMA VS. HEATH ROY DAVID

HEATH ROY DAVID C/O RUSSELL COUNTY JAIL PO BOX 640 PHENIX CITY AL 36868 0000 CASE NUMBER: CC 2001 000030.00

PARTY NUMBER: DEFD

CC 2001-30 CC 2001-35

DUE TO THE DEATH OF YOUR ATTORNEY, MR. JOHN BRITTON, YOU WILL BE CONSIDERED TO BE PRO SE AS TO YOUR PENDING APPEAL.

ATTACHED ARE THE FORMS YOU OR YOUR NEWLY RETAINED COUNSEL SHOULD COMPLETE AND RETURN TO THE CIRCUIT CLERK'S DFFICE AS SOON AS POSSIBLE.

NOTICE ISSUED ON: 08/06/2001

CLERK: KATHY COULTER

(08/05/2001) SHG

STATE OF ALABAMA	) IN THE CIRCUIT COURT OF
PLAINTIFF,	) RUSSELL COUNTY, ALABAMA
VS.	) CASE NO.: CC 01-30,36
ROY D. HEATH	) )
DEFENDANT.	)

### ORDER

The Court taking into consideration the defendant's written Request for appeal hearing, it is therefore,

ORDERED, ADJUDGED AND DECREED that the request for appeal hearing is denied.

DONE this the 9th day of August, 2001.

Jeange Chelme

THED IN UNTICE

THE AUG -9 PH 4: 33

THE TALS LUGIN

Page 96 of 100

State of Alabama Unified Judicial System

Form C-10 Rev. 2/95 Page 1 of 2

# AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER

Case Number

Page 1	2 Rev. 2/3
IN TI	(Circuit, District, or Municipal)
STY	Plaintiff(s)
	OF PROCEEDING: Criminal CHARGE(s) (if applicable):  //IL CASEI, because of substantial hardship, am unable to pay the docket fee and service fees in this case. I request the payment of these fees be waived initially and taxed as costs at the conclusion of the case.  //IL CASE (such as paternity, support, termination of parental rights, dependency) - I am financially unable to hire an orney and I request that the court appoint one for me.  //IL CASE I am financially unable to hire an attorney and request that the court appoint one for me.  //IL CASE I am financially unable to hire an attorney and request that the court appoint one for me.  //IL CASE I am financially unable to hire an attorney and request that the court appoint one for me.  //IL CASE I am financially unable to hire an attorney and request that the court appoint one for my child/me.  //IL CASE I am financially unable to hire an attorney and request that the court appoint one for my child/me.  //IL CASE I am financially unable to hire an attorney and request that the court appoint one for my child/me.
	ION I.
1. I	ENTIFICATION  Ill name
-	Monthly Expenses:
	A. Living Expenses Rent/Mortgage Total Utilities: Gas, Electricity, Water, etc. Food Clothing Health Care/Medical Insurance Car Payment(s)/Transportation Expenses Loan Payment(s)

France 2 of 2 Rev. 2/95	AFFIDAVIT OF SI	JBSTANTIAL HARDSHIF	AND ORDER
Form C-10 Page 2 of 2 Rev. 2/95  Monthly Expenses: (cont'd page Credit Card Payment(s)	ge 1)		· · · · · · · · · · · · · · · · · · ·
- WVE-moloymen	nt Expenses		- 1 - 10
Sub-Tota	ıl		A \$ 765.00
B. Child Support Payment	(s)/Alimony	\$	R \$
Sub-Tota	al	\$	
C. Exceptional Expenses  TOTAL MONT	THLY EXPENSES (add subtota	als from A & B monthly onl	(y) \$ 765.00
Total Gross Monthly Income	Less total monthly expenses:		. ~ 00
	ISPOSABLE MONTHLY INCO	ME	\$ 15.00
Equity in Real Estate (value Equity in Personal Property, motor vehicles, stereo, VCR guns, less what you owe) Other (be specific) Do you own anything else of (land, house, boat, TV, stere If so, describe  TOTAL  5. Affidavit/Request 1 swear or affirm that the answer.	etc. (such as the value of furnishing, jewelry, tools, furnishing, jewelry, tools, furnishing furnishing jewelry, tools, furnishing temperature and reflect my current nay subject me to the penalties of taining to my financial status from an attention of the court appoints an attorney	y source in order to verify information y to represent me, the court ma	that a false statement or answer or its authorized representative to mation provided by me. I further ay require me to pay all or part of
Sworn to and subscribed befor	e me this	Affiant's Signature	Jam H well
day of lept	Deale )	Print or Type Name	David steath
Zjudge/Clerk/Notary	ORDER OF (	COURT	2 PH 2 PH 10 PH
Affiant is not indigent and in Affiant is partially indigent to toward the	and able to commission and able to counse anticipated cost of appointed counsellows:	URT AS FOLLOWS:  bward his/her defense; thereform  sel. Said amount is to be paid to	re defendant is ordered to pay the clerk of court or as otherwis
☐ Affiant is indigent and requ ☐ The prepayment of docket	fees is waived.	, is hereby	appointed as counsel to represe
l attiant	ND ADJUDGED that the court reservourt and paid to the appointed country of	me the right and may orger rem	noursement of attorney 5
to the const	eal consider	Judge lassed	l. Sefendant

In the Court of Criminal Manne, Clerk of appellate court

Lane Mann , Clerk of appellate court

State of Alabam	na,	)	Case No.: Case # CR	-0002143		
Plai vs.	ntiff,	)	For Appeal	101	ρ4	۴
Roy David Heat	n,	)				
Defe	endant	)				
			Appointed Attorney		ලා ලා	
	And Motion For Enla	.rg	sment of fime			

Defendant Roy David Heath respectfully requests that this Court enter an order appointing a court appointed attorney to represent him on this appeal. In addition, the Defendant asks for an enlargement of time in order to allow the court appointed attorney the opportunity to adequately represent the Defendant in this appeal:

- Defendant was convicted of Unlawful Distribution, Unlawful Distribution, Possession of a Controlled Substance. In the Circuit Court of Russell County on May 31, 2001.
- Defendant was represented by Attorney John Britton at his trial. Since the trial, Attorney John Britton has died. Defendant was represented at the trial by a paid attorney. Because the Defendant is now incarcerated and cannot work, the Defendant cannot afford to hire a new attorney to represent him in his appeal.
- 3. Defendant filed an affidavit of hardship showing his indigence (a copy of this denial is attached)

with the trial court and asked the trial court to appoint a court appointed attorney to represent him in his appeal. The trial court denied the Defendant's request for a court Appointed attorney. The trial court's order is attached.

- 4. It is not possible for Defendant to hire him an attorney to represent him in this appeal. The Defendant has used up all his available resources in paying his trial attorney to represent him. If the Defendant is not given a court appointed attorney, the Defendant will be deprived of his legal and constitutional right to appeal and have council.
- Once the court appoints a court appointed attorney to
  Represent the Defendant, the court appointed attorney would
  need an enlargement of time in order to adequately
  represent the Defendant in this appeal.
- 6. For these reasons, Defendant respectfully requests that This Court enter an order appointing a court appointed attorney to represent him in this appeal. In addition, Defendant respectfully asks that this Court grant an enlargement of time to the court appointed attorney.

Respectfully submitted this the 1st day of October 2001,

Roy David Heath
Pro Se

Roy David Heath
Fountain 3800
Atmore, Al. 36503
AIS # 21-73-44

000095

# Certificate of Service

I hereby certify that I have this the 1st day or October 2001 served a copy of the foregoing upon all respondent judges and counsel in this matter by placing a copy of the foregoing upon all respondent judges and counsel in this matter by placing a copy of same in the United States mail with sufficient postage affixed thereon as follows:

Attorney General State of Alabama

Roy David Heath

Pro Se